

SENATE.

WEDNESDAY, December 20, 1922.

(Legislative day of Saturday, December 16, 1922.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	McKellar	Sheppard
Ball	Frelinghuysen	McKinley	Simmons
Bayard	George	McNary	Smith
Brandeggee	Gooding	Moses	Smoot
Brookhart	Harrell	Nelson	Spencer
Bursum	Harris	New	Sterling
Calder	Harrison	Nicholson	Sutherland
Cameron	Heflin	Norbeck	Townsend
Capper	Hitchcock	Norris	Underwood
Caraway	Johnson	Oddie	Wadsworth
Colt	Jones, Wash.	Overman	Walsh, Mass.
Culberson	Kellogg	Page	Walsh, Mont.
Cummins	Kendrick	Pepper	Warren
Curtis	King	Pittman	Watson
Dial	Ladd	Ransdell	Williams
Dillingham	La Follette	Reed, Mo.	
Ernst	Lodge	Reed, Pa.	
Fernald	McCumber	Robinson	

Mr. CURTIS. I wish to announce that the Senator from Ohio [Mr. WILLIS] is necessarily absent, due to illness in his family.

The PRESIDENT pro tempore. Sixty-nine Senators have answered to their names. There is a quorum present. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13232) making appropriations for the Departments of State and Justice and for the judiciary for the fiscal year ending June 30, 1924, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 2, 5, 19, 24, and 25 to the bill, and had receded from its disagreement to the amendments of the Senate numbered 1 and 14 and concurred therein each with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House agreed to the amendments of the Senate to the bill (H. R. 8996) to amend paragraph 440, section 5211, act June 3, 1864.

The message further announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7912) to provide a method for the settlement of claims arising against the Government of the United States in sums not exceeding \$1,000 in any one case.

The message also announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5349) to amend the act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels.

The message further announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3034) for the relief of Lizzie Askeli.

PETITIONS.

Mr. ROBINSON presented resolutions adopted by the directors of the Lonoke National Farm Loan Association, of Lonoke, Ark., favoring the prompt adoption of an amendment to the Federal farm loan act providing for increase of the loan limit from \$10,000 to \$25,000, so that every actual farmer operating a standard farm unit may enjoy the benefits of the cooperative farm loan system, etc., which were referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a resolution adopted by the Wellington (Kans.) Commercial Club, favoring the enactment of legislation providing a 1-cent drop-letter postage rate in cities, towns, and on rural routes, which was referred to the Committee on Post Offices and Post Roads.

Mr. KENDRICK presented a resolution adopted by the Cheyenne (Wyo.) Chamber of Commerce, favoring the passage of the so-called Capper-French truth in fabric bill, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. PAGE, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 3244) to authorize the transfer of surplus books from the Navy Department to the Interior Department (Rept. No. 954); and

A bill (S. 4137) to authorize the transfer of certain vessels from the Navy to the Coast Guard (Rept. No. 955).

Mr. NELSON, from the Committee on the Judiciary, to which was referred the bill (S. 4029) to amend an act entitled "An act to incorporate the Texas Pacific Railroad Co., and to aid in the construction of its road, and for other purposes," approved March 3, 1871, and acts supplemental thereto, reported it with amendments and submitted a report (No. 956) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 4208) providing for the retirement of certain officers of the Marine Corps; to the Committee on Naval Affairs.

By Mr. CAMERON:

A bill (S. 4209) for the relief of Adelaide S. Fish; to the Committee on Claims.

By Mr. FRELINGHUYSEN:

A bill (S. 4210) for the relief of Stephenson & Bills; to the Committee on Claims.

By Mr. RANSDALL:

A bill (S. 4211) for the examination and survey of the Intracoastal Canal from the Mississippi River at or near New Orleans, La., to Corpus Christi, Tex.; to the Committee on Commerce.

A bill (S. 4212) to amend paragraph 11 of section 1001 of an act entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes," approved November 23, 1921; to the Committee on Finance.

By Mr. STERLING:

A bill (S. 4213) relating to sales and contracts to sell in interstate and foreign commerce; and

A bill (S. 4214) to make valid and enforceable written provisions or agreements for arbitration of disputes arising out of contracts, maritime transactions or commerce among the States or Territories or with foreign nations; to the Committee on the Judiciary.

A bill (S. 4215) granting allowances for rent, fuel, light, and equipment to postmasters of the fourth class, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. WADSWORTH:

A bill (S. 4216) authorizing the sale of real property no longer required for military purposes; to the Committee on Military Affairs.

By Mr. DILLINGHAM:

A bill (S. 4217) to provide for the pay and allowances of certain officers of the Regular Army nominated to but not confirmed in higher grades; to the Committee on Military Affairs.

By Mr. McNARY:

A joint resolution (S. J. Res. 260) to provide for the deepening of Astoria Harbor, Oreg., and for other purposes; to the Committee on Commerce.

INVESTIGATION OF IMMIGRATION PROBLEMS.

Mr. RANSDALL submitted the following resolution (S. Res. 384), which was referred to the Committee on Immigration:

Whereas a shortage of labor now exists in the industries of agriculture and metalliferous mining;

Whereas under the existing percentage system for the admission of immigrants there are now being admitted into this country immigrants unsuited to employment in the fields of labor in which such shortage exists, thereby failing to relieve such shortage and increasing unemployment in other fields of labor; and

Whereas there exist many difficulties in the administration of the present immigration laws which may be avoided by suitable legislation: Therefore be it

Resolved, That the President of the Senate appoint a select committee to consist of three members of the Senate who are members of the Committee on Immigration, to investigate immigration problems in the United States, particularly with a view to relieving labor shortage in the United States by selecting, as the immigrants admissible under the present percentage system of admission, those who are best suited for employment in the fields of industry in which any shortage of labor exists and with a view to remedying the existing difficulties in the administration of the immigration laws. The committee shall make a final report to the Senate not later than January 1, 1924. For the purposes of this resolution, the committee is authorized to sit and act at such times and places, to make such expenditures, and to employ such stenographic and clerical assistants, as it deems necessary. The committee is further authorized to send for persons and

papers, to administer oaths, and to take testimony. The committee may, under the signature of the chairman, issue subpoenas for such purposes. The expenses of the committee shall be paid from the contingent fund of the Senate.

THE MERCHANT MARINE.

Mr. ROBINSON submitted an amendment intended to be proposed by him to the bill (H. R. 12817) to amend and supplement the merchant marine act, 1920, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (H. R. 12817) to amend and supplement the merchant marine act, 1920, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. FLETCHER submitted sundry amendments intended to be proposed by him to the bill (H. R. 12817) to amend and supplement the merchant marine act, 1920, and for other purposes, which were ordered to lie on the table and to be printed.

EXTENSION OF TIME FOR PAYMENT OF RECLAMATION CHARGES.

Mr. KENDRICK submitted an amendment intended to be proposed by him to the bill (S. 4187) to extend the time for payment of charges due on reclamation projects, and for other purposes, which was ordered to lie on the table and to be printed.

ADVANCED RETIRED BANK FOR CERTAIN OFFICERS.

Mr. LODGE submitted two amendments intended to be proposed by him to the bill (H. R. 7864) providing for sundry matters affecting the naval establishment, which were referred to the Committee on Naval Affairs and ordered to be printed.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12817) to amend and supplement the merchant marine act, 1920, and for other purposes.

The PRESIDENT pro tempore. The pending question is the motion of the Senator from Nebraska [Mr. NORRIS] to proceed to the consideration of the bill (S. 4050) to provide for the purchase and sale of farm products.

Mr. JONES of Washington. Mr. President, it seems to me that neither the friends of the motion of the Senator from Nebraska nor its opponents could lose anything by fixing a definite time to vote upon it. It would, I know, accommodate many Senators who have other things to do if they knew when the motion would be voted upon, so they would not have to stay here under the uncertainty of its coming up at any moment. I know that the mover of the motion is perfectly willing to vote to-day or to-morrow, although he would prefer, I think, to vote to-morrow, and I would have no objection to fixing a time to-morrow. So I ask unanimous consent that we vote on the motion to-morrow at 3 o'clock.

Mr. HARRISON. Mr. President, may I ask the Senator from Washington, and suggest also to the Senator from Nebraska, why could we not agree to vote on the motion, say, the day following the report from the Committee on Banking and Currency? The chairman of that committee stated yesterday that in all probability they would make their report the first of next week, as I understood him. We could in that case vote on the motion of the Senator from Nebraska about Tuesday or Wednesday. The motion is still pending. The speeches are now directed with respect to the agricultural credits bill and also the ship subsidy, and it would not disarrange anything. I make that suggestion.

Mr. JONES of Washington. The only question about that which occurs to me right now is that there might be a desire to take up the bill reported by the Banking and Currency Committee. It is very likely that bill could be taken up without motion, by unanimous consent, or if it should require a motion then it could not be substituted for the other measure; we would be put in the position of having to vote squarely on the motion of the Senator from Nebraska one way or the other. If that motion should be defeated, of course we could take up the bill reported by the Banking and Currency Committee, or if the Senate should vote to take up the bill of the Senator from Nebraska, probably an effort would be made to substitute for it the other bill. Otherwise I would have no objection, so far as I am concerned; but that, it occurs to me, would be rather an embarrassing situation.

Mr. HARRISON. May I say in answer to the suggestion that it seems to me if the Committee on Banking and Currency would make its report, all opposition to bringing up this question would give way, and you could substitute the Banking and Currency measure if you had the votes, the same as you could substitute it by voting to take it up, and it would save that much time.

Mr. JONES of Washington. No motion could be made to amend the motion of the Senator from Nebraska.

Mr. HARRISON. No; but if his motion prevailed and a majority voted for substituting the other bill, it could be done in that way.

Mr. JONES of Washington. That is true.

Mr. HARRISON. The question would be whether the bill of the Senator from Nebraska or the Banking and Currency bill was to be considered.

Mr. JONES of Washington. The whole proposition would be up, whether his bill was here or whether the other bill was here, so far as that is concerned.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. JONES of Washington. I yield.

Mr. NORRIS. So far as I am personally concerned I would rather vote to-day than to-morrow. I would not like to vote to-morrow because one Senator who is now in the Chamber will not be here to-morrow. Perhaps he can change his arrangements so that it would not make any difference.

I think I ought to state to the Senator from Washington, and likewise to the Senate, because I want to be frank about it, that if the motion now pending, which I have made, shall fail, I intend to follow it as soon as I can get the floor with another motion to take up Order of Business No. 918, the joint resolution (S. J. Res. 253) proposing an amendment to the Constitution of the United States. I realize that if my motion fails there will not be any possibility of taking up any legislation affecting agricultural conditions until the Banking and Currency Committee reports. In the meantime the joint resolution, to which, so far as I know, there is no objection—there may be some opposition, and there may be Senators who will propose to offer amendments to it—will not have an opportunity to be considered until after the question of farm credits is disposed of. Between the action of the Senate, if it should refuse to take up the bill that I have suggested in the motion, and the time the Banking and Currency Committee reports we will probably have time to dispose of the joint resolution. If that joint resolution is to be passed in this Congress it ought to be passed soon in order to give the House an opportunity to act upon it.

The joint resolution has been reported from the Committee on Agriculture and Forestry. It proposes an amendment to the Constitution of the United States, one effect of which would be to eliminate the short session of Congress. It also provides for the beginning of the terms of service of Members of the Senate and of the House on the 1st day of January in each year after they shall have been elected. It further provides for the elimination of the Electoral College and the beginning of the presidential term on the third Monday of January following the election.

I feel that there is quite a deep interest in the country in the joint resolution; but if it should be passed in the short time remaining before the adjournment of the present Congress, which will expire on the 4th of next March, it would not bring about any effective result, for the House of Representatives would hardly have opportunity to act upon the joint resolution.

Mr. JONES of Washington. Mr. President, I know that the Senator from Nebraska has a perfect right to make a motion to take up any measure that he desires, and I merely suggested that we vote to-morrow. As the Senator knows, in my conversation with him on yesterday I gained the impression that he had no objection to voting to-day, but that he would prefer that the vote be taken to-morrow.

Mr. NORRIS. The Senator got a wrong impression. I desire to ask the senior Senator from Arkansas [Mr. ROBINSON] if he is going to be able to be present to-morrow?

Mr. ROBINSON. Yes.

Mr. NORRIS. Then I have no choice; it does not make any difference to me.

Mr. JONES of Washington. The Senator, perhaps, would just as lief vote to-day as to vote to-morrow?

Mr. FLETCHER. Mr. President, I wish the Senator from Washington [Mr. JONES] would not present that request. I think we are proceeding in an orderly way and without waste of time. I think we shall reach a vote in due course perhaps as quickly as, and it may be more quickly than, we should if we set a time for voting. There is one objection for setting a time to take a vote on a motion like this, and that is that nearly all Senators absent themselves from the Senate until the time for voting arrives; that there are very few here to listen to the debate and the discussion.

Mr. JONES of Washington. If the Senator will allow me to make a suggestion, I desire to say that I do not think that would be the case as to the pending motion, because we could go on considering the bill, and if the time should arrive when

it was likely that the debate would run out, we could vote upon amendments to the bill; so it is not like the ordinary case of fixing a time to vote on the final passage of a bill. If we shall fix the time when the vote is taken on the motion of the Senator from Nebraska, then of course we shall proceed with the consideration of amendments to the bill if there should be no further debate upon the measure; so, I take it, that Senators would feel just as much obligation to be here as they otherwise would.

Mr. NORRIS. So that there may be no misunderstanding, I should like to suggest to the Senator, though I may be wrong about it, that my idea is that so long as this motion is pending it would be improper to vote upon any amendment to the ship subsidy bill.

Mr. FLETCHER. I myself think that would be so. The motion would be the pending question, I take it, and I think it would not be in order to consider anything else.

Mr. NORRIS. It would not be in order to vote on any other question.

Mr. JONES of Washington. I ask unanimous consent that we vote to-day at 3 o'clock on the motion of the Senator from Nebraska.

Mr. FLETCHER. I object.

Mr. JONES of Washington. I make that request simply for the convenience of Senators, for it would be no convenience to me at all. It will not hasten or delay the passage of the pending measure in any way.

Mr. FLETCHER. I think, as I have stated, that we are proceeding without the waste of any time and should gain nothing by entering into an agreement to vote on the pending motion. I think that we shall reach a vote on it in due course and in an orderly way, and also without very much lapse of time. I do not like the idea of fixing a time for a vote for the reason which I have stated, that it means that Senators will be absent until the time for voting arrives; that they will not be here to listen to the discussion in the meantime. Fixing a time for a vote does not mean that another measure may be taken up or that a vote on amendments may be taken in the meantime, because the motion is the pending question and is the only question that may be considered until it shall have been voted upon. I think the Senator from Washington is in error in his statement in regard to that.

Mr. JONES of Washington. Mr. President, in making my request I thought I was accommodating Senators who on yesterday urged the necessity of getting promptly at legislation for the benefit of the farmer. It was urged, I know, by several Senators in the discussion yesterday that they were very anxious to consider legislation for the benefit of the farmer, and I thought the earlier we could get a vote on the pending motion, if it were carried, of course, the sooner we would reach a consideration of that question.

Now, Mr. President, I ask unanimous consent that we vote to-day at 4 o'clock on the motion.

Mr. REED of Missouri. Mr. President, if the Senator from Washington is anxious to consider farm legislation, if that is really his purpose, as is indicated by what he has just stated, it would be very easily accomplished by the Senator simply withdrawing his bill and letting us go on with the Norris bill, for he has that power.

Mr. JONES of Washington. The Senator from Missouri did not, of course, intentionally misrepresent my position, but he did not correctly state it. I suggested that several Senators on yesterday expressed a desire to take up the consideration of legislation for the benefit of the farmer and that I thought agreeing to my request would aid that end. However, Mr. President, I made my request really for the convenience of the Senators, and that is all. If Senators do not desire to give the consent which I have asked, it will not disturb me in the least.

The PRESIDENT pro tempore. The Secretary will state the request for unanimous consent which has been preferred by the Senator from Washington.

The ASSISTANT SECRETARY. The Senator from Washington [Mr. JONES] asks unanimous consent that at 4 o'clock this day, being the calendar day of Wednesday, December 20, 1922, the Senate shall proceed to vote without further debate upon the motion of the junior Senator from Nebraska [Mr. NORRIS] that the Senate proceed to the consideration of Senate bill 4050, a bill to provide for the purchase and sale of farm products.

The PRESIDENT pro tempore. Is there objection?

Mr. KING. I object.

Mr. WILLIAMS. Mr. President, I object.

The PRESIDENT pro tempore. Objection is made.

TRANSFER OF LANDS IN FULTON COUNTY, GA.

Mr. SMOOT. Mr. President, I ask unanimous consent for the privilege of reporting from the Committee on Public Lands and Surveys two measures which are pressing for action. I first report from that committee, without amendment, the bill (H. R. 12174) to authorize the Attorney General to convey certain land of the United States to Fulton County, Ga., to widen McDonough Road in front of the United States penitentiary, and I submit a report (No. 952) thereon.

I may say the bill authorizes the Attorney General to quitclaim to Fulton County a strip of land 5 feet in width at the rear of the United States penitentiary in Georgia. McDonough Road is the principal thoroughfare in Fulton County, and in order to make it conform in width from one end to the other the 5 feet are asked for from the Government to be added to the roadway. The officials of the penitentiary report that the widening of the road would be a great advantage by facilitating the passage of incoming and outgoing vehicles from the penitentiary. Therefore, I ask unanimous consent for the present consideration of the bill:

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. JONES of Washington. Mr. President, I shall not object if the bill does not lead to discussion.

Mr. SMOOT. If it shall lead to any discussion whatever I will withdraw it.

Mr. NORRIS. Mr. President, I do not think what I wish to suggest will lead to discussion to exceed more than a minute or two; but the question arises in my mind why does this bill provide that the Attorney General shall make the conveyance? That is not the usual way of conveying land owned by the Government of the United States.

Mr. SMOOT. I think it is the usual method wherever the land is built upon and used and is not a portion of the public domain. The lands in question in this case were originally purchased by the Government.

Mr. NORRIS. The act of Congress would make the title good, of course. The Congress could authorize the Senator from Utah, or anybody else, to make the conveyance; I realize that; but there ought to be a uniformity in legislation of this kind.

Mr. SMOOT. I think that the uniform practice has been that the Attorney General has made such conveyances wherever the land has been originally purchased by the Government and does not constitute a portion of the public land. I think that the bill in this instance is in conformity with the general rule.

Mr. WALSH of Montana. Mr. President, it occurred to me as a member of the committee that it is quite appropriate in this instance, inasmuch as the penitentiary is under the supervision of the Department of Justice, that the head of that department should make the conveyance.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Attorney General be, and he is hereby, authorized and empowered to convey, by quitclaim, to the county of Fulton, in the State of Georgia, for use as a public road, and for no other purpose, all the right, title, and interest of the United States of America in and to all that strip of land, 5 feet in width, off the northerly and northeasterly sides, along the McDonough Road frontage of United States penitentiary farm No. 1, in said county, between the easterly line of Sawtell Avenue and the westerly line of Forrest Road: *Provided, however,* That the county of Fulton shall not have the right to sell or convey the said premises, nor to use the same for any other purpose whatever than as herein provided, and in the event the premises shall cease to be used for a public road and cease to be cared for and maintained as are other public roads in said county, the right, title, and interest hereby authorized to be conveyed shall thereupon immediately revert to the United States: *Provided further,* That the conveyance herein authorized shall not be made until and unless a strip of land 5 feet wide is dedicated by the property owners on the opposite side of McDonough Road: *Provided further,* That the county of Fulton shall bear the cost of replacing the existing curb in front of the residence of the warden along said McDonough Road as widened.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SMOOT. I ask that the report of the committee, accompanying the bill, may be printed in the RECORD at this point.

There being no objection, the report (No. 952) was ordered to be printed in the RECORD, as follows:

The Committee on Public Lands and Surveys, to whom was referred the bill (H. R. 12174) to authorize the Attorney General to convey certain land of the United States to Fulton County, Ga., to widen McDonough Road in front of the United States penitentiary, having

considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The purpose of this bill is fully explained in House Report No. 1261, as follows:

[House Report No. 1261, Sixty-seventh Congress, third session.]

WIDEN McDONOUGH ROAD IN FRONT OF THE UNITED STATES PENITENTIARY, FULTON COUNTY, GA.

MR. LANGLEY, from the Committee on Public Buildings and Grounds, submitted the following report, to accompany H. R. 12174:

The Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 12174) to authorize the Attorney General to convey certain land of the United States to Fulton County, Ga., to widen McDonough Road in front of the United States Penitentiary, having duly considered the same, hereby make report of it to the House with the recommendation that the bill do pass.

This bill was introduced by the chairman of your committee pursuant to a letter addressed to him by the Attorney General of the United States, which is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C.

HON. JOHN W. LANGLEY,
Chairman Committee on Public Buildings and Grounds,
House of Representatives.

MY DEAR MR. LANGLEY: The department is advised that the board of county commissioners of Fulton County, Ga., has undertaken to widen, by 10 feet, and otherwise to improve McDonough Road, one of the public streets of said county, under a plan which contemplates the dedication by abutting owners of the necessary land on each side thereof. As McDonough Road extends along the northerly and northeasterly sides of penitentiary farm No. 1, the county authorities have requested the United States to dedicate for that purpose a strip of land 5 feet in width, beginning on the easterly line of Sawtell Avenue and extending, of that width, along the southerly and southwesterly sides of McDonough Road to the westerly line of Forrest Road.

The superintendent of prisons and the warden of the penitentiary are of the opinion that to widen McDonough Road as aforesaid will result not only in better facilities of egress and ingress but will otherwise improve the Government's property, and they recommend that the dedication be made.

I see no objection to the proposed improvement, but am of opinion that the conveyance should be made only after the requisite authority has been secured from Congress.

I have therefore prepared the inclosed bill, with certain provisions and restrictions which I think adequate and proper, and am transmitting the same with the request that it have consideration by your committee with a view to its passage.

Respectfully,

H. M. DAUGHERTY,
Attorney General.

The following statement of Hon. Clint W. Hager, Federal district attorney of the northern district of Georgia, setting forth the need for immediate action on this bill, is made a part of this report:

"McDonough Road, which is the street running along the front of the penitentiary, is at the present time completely torn up and impassable along the entire front of the penitentiary property, rendering it impossible to either get in or out of the penitentiary with wagons or trucks. McDonough Road is a very narrow street and is entirely inadequate for the traffic since the Atlanta Penitentiary was located on it. The county commissioners of Fulton County have agreed to widen McDonough Road and have secured donations of land from the abutting property owners, so that the street may be widened approximately 10 feet. The county commissioners propose to widen the street along the penitentiary without cost to the Government provided an act of Congress is passed authorizing the Attorney General to convey a strip of land 5 feet in width to Fulton County for the purposes above set forth. It is imperative that quick action be taken in this matter by reason of the fact that if the work is delayed a few weeks and cold weather sets in, it will be impossible to make concrete, and in its present condition the penitentiary is isolated, with no means of ingress or egress. The commissioners are now completing the work on either side of the penitentiary property, and if they finish without completing the road in front of the penitentiary it will be a great loss to the Government."

McDonough Road extends along the penitentiary property a distance of 6,600 feet, and unless this bill is passed at once the road will be turned over to the county with this gap in it, and it will be necessary for the Government to do the work at its own expense.

Your committee recommends immediate and favorable action.

HOMESTEAD PRIVILEGES TO AMERICANS SERVING IN ALLIED ARMIES.

MR. SMOOT. From the Committee on Public Lands and Surveys I also report back favorably, without amendment, the joint resolution (H. J. Res. 180) extending the provisions of the act of February 25, 1919, allowing credit for military service during the war with Germany in homestead entries, and of Public Resolution No. 29, approved February 14, 1920, allowing a preferred right of entry for at least 60 days after the date of opening in connection with lands opened or restored to entry to citizens of the United States who served with the allied armies during the World War, and I submit a report (No. 953) thereon.

I am advised, Mr. President, by the Secretary of the Interior that there are a number of cases pending now before the department, and he would like, if possible, to have the House joint resolution passed so that those cases may be acted upon and settled. I ask unanimous consent for the immediate consideration of the joint resolution.

THE PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

MR. UNDERWOOD. Mr. President, I should like to ask the Senator from Utah a question. I understood that some time ago—immediately after the close of the war, I think it was, and

during the last administration—there was a law passed giving priority in homestead entries to veterans of the World War. Is not that so?

MR. SMOOT. That is true.

MR. UNDERWOOD. Then, why is it necessary to enlarge that right by this joint resolution?

MR. SMOOT. The joint resolution which I have reported merely affects American citizens who served during the war with the armies of our allies. All of the boys who served in the Army of the United States have that privilege, and the joint resolution simply extends it to American citizens who fought in the armies of the allies.

MR. UNDERWOOD. For instance, American boys who went into the Canadian army.

MR. SMOOT. That is what the joint resolution is designed to cover.

MR. JONES of Washington. I shall not object to the consideration of the joint resolution if it does not lead to further discussion.

THE PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the provisions of the act of Congress of February 25, 1919, allowing credit for military service during the war with Germany in homestead entries, and of Public Resolution No. 29, approved February 14, 1920, allowing a preferred right of entry for at least 60 days after the date of opening in connection with lands opened or restored to entry, be, and the same are hereby, extended to apply to those citizens of the United States who served with the allied armies during the World War, and who were honorably discharged, upon their resumption of citizenship in the United States, provided the service with the allied armies shall be similar to the service with the Army of the United States for which recognition is granted in the act and resolution herein referred to.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MR. SMOOT. In connection with the joint resolution, I ask that the report of the committee accompanying it may be printed in the RECORD.

There being no objection, the report (No. 953) was ordered to be printed in the RECORD, as follows:

The Committee on Public Lands and Surveys, to whom was referred the bill (H. J. Res. 180) extending the provisions of the act of February 25, 1919, allowing credit for military service during the war with Germany in homestead entries, and of Public Resolution No. 29, approved February 14, 1920, allowing a preferred right of entry for at least 60 days after the date of opening in connection with lands opened or restored to entry to citizens of the United States who served with the allied armies during the World War, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The purpose of this bill is fully explained in House Report No. 678, as follows:

[House Report No. 678. Sixty-seventh Congress, second session.]

CREDIT FOR MILITARY SERVICE DURING WORLD WAR.

MR. SMITH of Idaho, from the Committee on the Public Lands, submitted the following report to accompany House Joint Resolution 180:

The Committee on the Public Lands, to whom was referred the joint resolution (H. J. Res. 180) extending the provisions of the act of February 25, 1919, and of Public Resolution No. 29, having had the same under consideration, report the same back to the House with the following amendment and recommend that as amended the bill do pass:

Amend page 2, line 1, by inserting after the word "War" the words "and who were honorably discharged" and a comma.

In recommending the passage of the measure the committee recites that before the United States became involved in the World War numerous American young men volunteered for service in the armies of France, Great Britain, notably Canada, and possibly other of the allied nations. Again, after the United States had entered the World War, other Americans who could not meet the high physical standards required for entrance into the service of the United States entered the armies of the Allies.

These soldiers gave service in the common cause in which the United States was engaged, similar to the service rendered by the American soldiers.

Following the World War, by act of Congress, citizenship was restored to all such Americans who had forfeited their citizenship by taking the oath of allegiance to a foreign country.

There seems to be every reason why the provisions of the acts referred to in this bill, applicable to those who were in the naval and military forces of the United States during the World War, should apply equally to those other citizens of the United States who saw service with the armies of the Allies and whose citizenship has been restored to them.

There is hereto attached letter from the Acting Secretary of the Interior to Hon. N. J. SINNOTT, chairman of the Committee on the Public Lands, indorsing the resolution.

DEPARTMENT OF THE INTERIOR,
Washington, August 9, 1921.

HON. N. J. SINNOTT,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. SINNOTT: I have your request of July 29, 1921, for report on House Joint Resolution 180, which proposes to extend the provisions of the act of February 25, 1919, allowing credit for military service during the war with Germany in homestead entries and of

Public Resolution No. 29, approved February 14, 1920, allowing a preference right of entry in connection with lands opened or restored to entry to citizens of the United States who served with the allied armies during the World War.

It is believed that the legislation proposed is meritorious, and I therefore recommend that the resolution be enacted.

Respectfully,

E. C. FINNEY, *Acting Secretary.*

CIVIL WAR PENSIONS.

Mr. BURSUM. Mr. President, some time ago the Senate passed Senate bill 3275 increasing the rate of pension allowed to Civil War veterans and the widows of such veterans. That bill passed the House with certain amendments. A conference was ordered between the two Houses on the disagreeing votes thereon. As a member of the committee of conference, I desire at this time to submit the conference report and ask unanimous consent that it be taken up immediately for consideration.

Mr. President, we are now in that season of the year when good will and good cheer should prevail all over the land, and I feel that it would be a splendid expression of gratitude on the part of the people of this country to the veterans of the Civil War now to consummate and complete this proposed legislation so that it may be passed in time to permit the signature of the President and may become a law as a Christmas present to the children of Lincoln of 1861.

The PRESIDENT pro tempore. The Chair desires to ask the Senator from New Mexico whether the conference report has been made to the House and acted upon there?

Mr. BURSUM. It originated in the Senate.

Mr. SMOOT. Who asked for the conference?

The PRESIDENT pro tempore. The Senate.

Mr. SMOOT. Then it should go to the House.

The PRESIDENT pro tempore. The Chair is advised that the House granted the conference.

Mr. WARREN. Mr. President, the report should be submitted to the House first if they granted the conference. We asked for a conference. In that case the other side granted it, and it goes to them first.

Mr. SMOOT. Yes; it goes to the House first.

Mr. JONES of Washington. I ask for the regular order.

The PRESIDENT pro tempore. The Chair desires to clear up this matter. He is advised that there are no papers here from the House, and, as he now understands, the conference report is not in a position to be acted upon by the Senate until some measure is received from the House of Representatives.

Mr. BURSUM. My understanding was that the Senate had asked for this conference.

Mr. SMOOT. But the House granted the conference. Therefore the report must go to the House first.

Mr. FLETCHER. Mr. President—

Mr. UNDERWOOD. Mr. President, it seems to me that of course the papers should properly go to the House that has not asked the conference, and there the papers should stay until the conference report; but that is not the question involved. I understand that the papers are on the desk of the Senate; and if the original papers are on the desk of the Senate and the Senator from New Mexico got hold of them there is no reason why the Senate can not act on the matter. It does not make any difference how he got hold of them.

I know that a good many years ago, in reference to a tariff bill that I reported to the House in a past administration, somebody raised the question that the Senate was entitled to the papers; but I had them, and I moved the adoption of the report, and the bill went to the President. Of course, if there is any real objection to the pension bill, that may be another matter; but if there is not any objection to the pension bill the papers are here, and there is no question that the Senate can act on the matter if it wants to.

The PRESIDENT pro tempore. What is the motion of the Senator from New Mexico?

Mr. BURSUM. The motion is to agree to the conference report.

Mr. SMOOT. Mr. President, if the original bill as it passed is among the papers, then the statement of the Senator from Alabama is correct; but if the original bill as it passed Congress is not in those papers we have no right to it at all.

Mr. UNDERWOOD. I agree with the Senator thoroughly; but the Senator from New Mexico said that the original papers were on the desk.

The PRESIDENT pro tempore. The Chair endeavored to state that the papers were not in the Senate, nor has the Senate been notified of any action on the part of the House. The original bill is not in the Senate and not on the desk.

Mr. UNDERWOOD. That makes a different state of the case. The Senator from New Mexico stated that he had the original papers.

RURAL CREDITS.

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD the report of the rural credits committee of the Conference of Farmers' Cooperative Marketing Associations, held in Washington last week. There were present at that conference representatives of about 1,000,000 members of cooperative marketing associations, and this report embodies their ideas as to rural credits legislation. It is very brief.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

The report is as follows:

REPORT OF THE RURAL CREDITS COMMITTEE ADOPTED BY THE CONFERENCE OF NATIONAL COUNCIL OF FARMERS' COOPERATIVE MARKETING ASSOCIATIONS IN WASHINGTON, D. C., DECEMBER 15, 1922.

The committee on rural credits of the National Council of Farmers' Cooperative Marketing Associations has made a survey of the subject of farmers' credits and the legislation proposed on such rural credits.

Your committee recommends as follows:

1. That this national council announces as a general policy that the primary reliance of the farmer for credits for production or for marketing should be upon the local banker, and that under normal conditions the local banker is likely to meet the greater part of such needs.

2. That the Federal reserve system should be modified so as to meet the special requirements of farm credits and to permit the financing of farmers and farmers' cooperative marketing associations conveniently and efficiently through normal banking channels.

That such modification involves primarily the extension of the maturity of agricultural paper to a maximum limit of nine months, with the fixing of cooperative marketing for loans on such agricultural paper to any one cooperative marketing association to be fixed as 50 per cent of the capital and surplus of banks, members of the Federal reserve system, subject to the State laws wherever applicable; and that encouragement and inducement be made to have more State banks exercise the privilege of membership in the Federal reserve system.

3. That the maximum basis of loans from farm loan banks be raised from \$10,000 to \$25,000.

4. That adequate opportunity be presented for the creation of agricultural credit corporations with sufficient minimum capital to purchase or discount ordinary agricultural paper, with a maximum maturity of nine months and live-stock paper with a maturity of not more than three years; with rediscount corporations adequately capitalized to purchase such paper from agricultural credit corporations, with the privilege of rediscounting any such paper with its indorsement, through Federal reserve system.

5. That a farm credits department in the Federal land banks be set up in each of the land banks, with a capital of \$5,000,000, making a total of \$80,000,000 capitalized, against which credits may be issued to the extent of approximately \$600,000,000; and that these farm credits departments of the Federal farm banks be authorized to discount or purchase agricultural paper in a broad sense and to make loans or advance directly to cooperative marketing associations and agricultural cooperative credit organizations.

6. That the right of the Federal land banks to purchase production credits shall be limited to production credits where the note of the individual is indorsed by the cooperative credit association or is secured by a chattel mortgage on implements or animals, or both, and indorsed by the local banks, or where the note or draft itself is made by a cooperative credit association of producers; and that any Federal land bank may exercise any of the powers herein granted in any section or district of the United States.

We further recommend that the Committee on Banking and Currency of the House and Senate be requested to consider these suggestions and to combine them if possible into a rural credits act, to be introduced in such way as the committee may deem advisable.

The council announces as its policy that the cooperative marketing associations do not ask anything from the Federal Government except that legislation be enacted to permit farmers and farmers' organizations to have the same access to the Federal credits system, adapted to its needs, that all industries now possess, and to make provision for unforeseen emergencies by setting up a last reserve in such a manner as is above suggested in the farm credits department of the farm land banks.

THE MUSCLE SHOALS PLANT.

Mr. LADD. Mr. President, a few days ago my friend, the able Senator from Nebraska [Mr. NORRIS], took occasion to point out in the Senate what to him appeared to be injustices in the Ford proposal, in part to purchase and in part to lease Muscle Shoals, and he made some observations with regard to the attitude of those who differed with him on the proposal he has offered to the Senate and the country. To allow these charges to go unanswered, and as sponsor for the Ford offer, leaves me before the country, to say the least, in a compromising position. I, therefore, Mr. President, propose to present some phases of the other side of this great picture in which the large majority of our people are deeply interested.

Mr. President, there is apparently a great division of opinion as to the proper disposition of the great power project at Muscle Shoals, and in this division of opinion and the resultant inaction I fear that we are faced with the serious possibility of the plant either being scrapped or left in an uncompleted and haphazard manner as a serious liability of the Government. In this divergence of views there are some very meritorious ideas that are worthy of profound analysis, and such an analysis can be made without the slightest reflection upon the motives of anyone. There is honesty and integrity that has stood the test of years, and such honesty and integrity as has been most intelligent in most of its endeavors;

but, Mr. President, honesty and integrity is not always infallible in its application. Human mental processes will not always allow us to reach the same conclusion, even with the same statement of facts, because individual logic is different. And when there is a different understanding as to fundamental facts, it is quite reasonable to expect that there will be different conclusions as to the proper action to take.

There can be but little doubt, Mr. President, that if it had not been for the offer of Henry Ford, Muscle Shoals would be on its way to the scrap heap to-day; indeed, it would probably already have been there—save such portions as were desired by particular interests, and which they would probably have acquired for a song. Furthermore, it is doubtful if very much would have been said about the scrapping, but by common consent it would have been agreed that it was a great failure and a great blunder—chargeable to war cost—and it would have made its way to destruction, just as have so many other things that have come in the pathway of special privilege.

There is another thing, Mr. President, that we must bear in mind, and that is Mr. Ford was requested to make a bid for this property, and he did so upon the invitation of the Government. He has made his offer and has simply requested that we accept it or reject it; if there has been pro-Ford-offer propaganda, it has sprung from the American people, who know what they want in the way of the disposition of this plant. The burden is not upon Henry Ford to show that his proposition is the best thing for the country, but the burden is upon the Ford opponents to produce a better proposition. Mr. Ford's attitude is above reproach. He complied with the request of his Government and made an offer; that offer certainly resulted in saving Muscle Shoals from the scrap heap. Suddenly other men decided there was some value to the proposition; now Mr. Ford's position is simply "accept my offer or reject it," the responsibility is upon us. It would come with very poor grace for anyone to rise upon this floor and propagate the insinuation that Henry Ford is trying to graft something from the Government. I hope and believe that it will not be done.

FACTS VERSUS FICTION.

Mr. President, since the burden must be upon the opponents of the Ford offer to produce a better proposition, I first wish to direct attention to what is believed by some to be a solution of the problem, before I specifically answer some of the objections that have been made to the Ford offer.

My good friend, the Senator from Nebraska [Mr. NORRIS], is advocating a proposition about which he said (page 178, CONGRESSIONAL RECORD, December 7, 1922), "if the Senator will devote his energies and his eloquence to getting the Ford people to support the bill I have tried to get through, we will help the Alabama farmer ten thousand times more than the Ford proposition, if carried out, would help him. We will furnish him fertilizer at a price which does not include even an 8 per cent profit." I have no doubt, Mr. President, that the Senator believes every word of what he has said, and that his faith in his proposition is very much larger than the size of a mustard seed, but his belief is not conclusive evidence that he is right in his conclusions. He might have faith sufficient to remove mountains and still be wrong in his ideas as to the disposition of Muscle Shoals. Should, under his plan, the manufacture of fertilizer be successful and should that fertilizer be sold to the farmer at cost, Henry Ford might, even then—at a profit of 8 per cent—produce it and sell it to the farmer very much cheaper. There is no argument in that part of his statement. As to his statement that his proposition "will help the Alabama farmer ten thousand times more than the Ford proposition," I think I will be able to show in pointing out some features of his bill that he has tremendously overestimated the possibilities of farmer aid provided for in this proposed measure. In fact, I seriously doubt if the Senator really understands the possibilities, yea, the probabilities, of his bill.

In studying it I think I understand just what the Senator would like to accomplish; but his bill strikes me as being only a preamble to something more gigantic and, when beyond his control, something that would probably prove frightful in its consequences. What the Senator would like to accomplish and what his bill proposes are two separate and distinct things. The Senator believes that under his bill there will be a great development at Muscle Shoals, great reservoir dams built, vast endeavors in research. It is a glorious picture that he paints when he waxes eloquent on this subject, and he waxes eloquent because he believes that his bill will accomplish all these things. But, Mr. President, I make this expression of belief: If Senate bill 3420, as introduced by the Senator from Nebraska, should be passed and become a law, just the opposite of all these desirable things enumerated by the Senator would happen. If

there was any special interest that wanted Muscle Shoals, such as the Alabama Power Co., for instance, I do not see how they could draw a more subtle measure, such as would stand a chance of being slipped by the people of this country, than the Norris bill. I am sure that the Senator from Nebraska has never taken this viewpoint of the matter, but I am going to try to point out to the Senate some of the provisions of his bill.

WHAT THE NORRIS BILL PROPOSES.

The caption of the bill is—

To provide for the manufacture of explosives for the use of the Army and Navy, to provide for the manufacture of fertilizer for agricultural purposes, to incorporate the Federal Chemical Corporation, and for other purposes.

The first section of the bill clearly authorizes and directs the Secretary of War "to cause surveys to be made" above the dams on the Tennessee River and its tributaries "for the purpose of locating storage reservoirs." However, there is no appropriation provided for this work, and there must be further legislation if the surveys are made. The section further provides—

If a suitable site or sites can be found upon such investigation where practical storage reservoirs can be obtained at reasonable cost, the Secretary is directed to take the necessary steps to secure such sites and to build the necessary dams for the impounding of water therein.

The defect in this is that the decision is left entirely with the Secretary of War as to whether or not suitable sites are found, and if they "can be obtained at reasonable cost." Therefore, it is left to the Secretary of War to decide whether or not there are suitable sites and if the cost at which they can be obtained is reasonable. What more authority could he desire, should he want to delay action, than to have such decisions left entirely within his power? Does anyone suppose that under these times of "normalcy" that the enormous business interests of this country that are in conflict with Muscle Shoals development would be challenged and antagonized by the selection of sites and the development of dams for the purpose of the Government going into competition with large private capital? Would the present administration go contrary in this matter to its avowed policy of taking the Government out of business? Does the Senator contemplate a delay of at least two years in this matter until the present administration passes into history and then take his chances with another administration that would probably prove just as positive in the same kind of policy? In addition to that, suppose the Secretary of War should select such sites, and suppose he should find that he could purchase such sites at "reasonable cost," then before he can buy them he will have to come to Congress for an appropriation. Indeed, this is splendid machinery to create all the delay that any interest who might desire the scrapping of Muscle Shoals could desire. In so far as this bill providing a means that will result in the development of the upper reaches of the Tennessee River and its tributaries and establishing these desirable reservoirs is concerned, we might as well discard the idea as merely a pleasant pipe dream.

Mr. NORRIS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. LADD. I yield.

Mr. NORRIS. I would like to ask the Senator, if the proposition that this survey be made by the War Department is not proper, if it ought to be done in some other way, whether he would make a suggestion as to where the power should be placed rather than in the Secretary of War? Let me state to the Senator that I put it in the hands of the Secretary of War because the Secretary of War has the men, and the War Department has always been the instrumentality by which such surveys have been made. I would be very glad indeed if the Senator could suggest a better place to put it. I would be glad, if the bill was before us, to accept an amendment from the Senator from North Dakota or any other Senator lodging the power in better hands. Would the Senator be willing to put it in the hands of the corporation which it is proposed to set up?

Mr. LADD. No; I will perhaps show, as I go on further, the reason why I would not be willing to put it in the hands of the corporation.

Mr. NORRIS. I am referring to the survey. Assuming that we pass the bill, and the corporation provided for in the bill is set up, would the Senator rather put the power in the hands of the corporation than in the hands of the Secretary of War?

Mr. LADD. No; but I would want some control over it.

Mr. NORRIS. Where would the Senator put it? The Senator will admit, will he not, that this survey and the building of these reservoirs on the Tennessee for storage purposes are

absolutely necessary if we are to get the maximum amount of electrical energy out of the Tennessee River?

Mr. LADD. There is no question there. What I maintain is that the machinery is so cumbersome, the time required would be so long, the delays would be just what the opposition would desire in order to prevent action. Before the survey can be made there must be appropriations, and after the survey is made there must then be further appropriations and money raised from some source with which to purchase those sites.

Mr. NORRIS. The Senator must admit that provision of the machinery for bringing about the building of the storage reservoirs, if they are to be built, is just as important as the completion, for instance, of Dam No. 2 or Dam No. 3, particularly Dam No. 2. They could go on just the same, and it would necessarily have to be delayed long enough to make the surveys. If there is any other way to do it more quickly I want to say to the Senator that I would be delighted to have him suggest it and I would be glad to adopt it.

Mr. LADD. I think, if the Senator will allow me to go on, I will point out some of those things before I am through.

Mr. NORRIS. Very well.

Mr. LADD. It does not require very much experience in the National Legislature to know that there is frequently a difference of opinion between those who recommend appropriations and the Congress that grants such appropriations. Considering the various interests concerned about what happens to Muscle Shoals, and the difficulty that this Congress has had with that very proposition during the past two years, it is not an unreasonable conjecture that young men would blossom into the grave during the process of its long-drawn-out development, should it be developed by the Government and for the Government at all.

Mr. NORRIS. May I interrupt the Senator again?

Mr. LADD. Certainly.

Mr. NORRIS. Either now, or at some other time in the course of his remarks, I wish the Senator would point out to the Senate and to the country where in the Ford proposal there is any proposition to survey the river and to build storage reservoirs, which everybody admits are necessary to the full and maximum enjoyment of the water power there. Has the Ford proposition in it anywhere anything which would bind the Ford corporation to do anything of that kind, or have they even suggested such a contingency?

Mr. LADD. I will deal with those subjects somewhat later.

Mr. NORRIS. Very well.

Mr. LADD. In so far as the bill relates to the development of such reservoirs, it sounds like only a preamble to what might be desired.

FEDERAL CHEMICAL CORPORATION.

In sections 4 and 5 are found provisions for the chartering of "The Federal Chemical Corporation," and all of the powers of this so-called corporation are set forth. These two sections are very important, Mr. President. They are as follows:

Sec. 4. That there is hereby incorporated and created a corporation by the name, style, and title of "The Federal Chemical Corporation" (hereinafter referred to as the corporation). Said corporation shall have perpetual succession and shall have power—

- (1) To adopt, use, and alter a corporate seal;
- (2) To sue and be sued, and to complain and to defend in any court of law and equity within the United States;
- (3) To make and enforce such contracts as may be necessary to carry out the provisions of this act;
- (4) To appoint and fix the compensation of such employees, attorneys, and agents as are necessary for the transaction of the business of the corporation, to define their duties, require bonds of them, and fix the penalties thereof; but in no case shall any such employee receive a salary in excess of \$12,000 per annum;
- (5) To prescribe, amend, and repeal by-laws not inconsistent with this act for the conduct of its business; and
- (6) To exercise all the rights, powers, and privileges conferred upon it by this act and such additional powers as may be necessary to carry out the provisions of this act.

Sec. 5. That the business of said corporation shall be transacted by a board of directors (hereinafter called the board), consisting of three persons, to be appointed by the President of the United States, by and with the advice and consent of the Senate. Members of said board shall hold their offices during good behavior and shall receive a salary of \$7,500 per year, payable monthly: *Provided*, That any member of said board may be removed from office at any time by a concurrent resolution of the House of Representatives and the Senate. No member of said board shall during his continuance in office be engaged in any other business, but shall give his entire time to the business of said corporation. Said board shall select one of its members as president. It shall select a treasurer and as many assistant treasurers as it deems proper, and such treasurer and assistant treasurers may be corporations or banking institutions and shall give such security for the safe-keeping of the moneys of said corporation as the board may require. In the appointment of officials and the selection of employees for said corporation and in the promotion of any such employees or officials no political test or qualifications shall be permitted or given consideration, but all such appointments and promotions shall be given and made on the basis of merit and efficiency. The board shall give publicity to any request, coming from any source, asking for any favor in behalf of any person or the promotion of any employee. Any member of said board who permits the use of political or partisan influence in the selection of any employee, or in the promotion of any such employee of

said corporation, or who gives any consideration to political considerations in the official action of said board, or who, knowing that such political influence has been or is attempted, does not give publicity to the same, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding \$1,000 or be imprisoned not to exceed six months, or both such fine and imprisonment, and the conviction of any member of said board of the offense herein defined shall have the effect of removing such member from office.

Mr. President, I want to observe right here that the attempt to build up a merchant marine by means of a private corporation under governmental control was practically the same character of machinery as that proposed in this bill. That attempt, although started in good faith, resulted in failure, waste, extravagance, and the greatest scandals in the history of our Government. Even now we are faced with the colossal task of scrapping, junking, subsidizing, and a general untangling of business mismanagement that is so bad as to stagger the imagination and so rotten that it almost becomes necessary for us to put on gas masks as we approach the task. We have no assurance that we will not be faced with a very much greater problem in untangling the complications that will certainly result should Senate bill 3420 become a law.

Mr. NORRIS. In drawing the provisions which the Senator has just read, I was moved by a desire to make this corporation entirely independent of partisan or political control, as much as human ingenuity could make it so. Of course, I understand that the Senator is opposed to the Government operating anything. He is opposed to the Government operating anything either through the instrumentality of a corporation or otherwise, and I concede he has a right to that opinion; but I would like to ask the Senator again if he can point out any amendment which would improve the measure or avoid the dangers he says exist, which I do not believe exist. I would be glad to have him do it. I do not claim to have the last word in the construction of an act providing for a corporation. I welcome any criticism tending to improve it, and even though the Senator is opposed to Government operation of anything, I wish he would take the viewpoint of one who believes that there are some things the Government ought to do and, taking that viewpoint, assist to the extent of his great ability in suggesting amendments which would avoid the pitfalls he says are certain to overtake the corporation.

Mr. LADD. Mr. President, if the Norris bill comes before the Senate I shall offer some amendments and suggestions, in the first place; in the second place, I want to correct the statement of the Senator that I am opposed to Government operation and ownership. Just the opposite to that; I am in favor of Government ownership and operation of certain industries, and especially those which may be considered as public utilities, but I am not in favor of such operation unless I am convinced that it is going to be for the best interests of all the people of the country.

Mr. NORRIS. I assumed from other things he has said about this proposition that the Senator was opposed to Government operation, because the bill I have reported, the one setting up this corporation, provides one method of Government operation. I am not criticizing the Senator because he is opposed to it. He has a perfect right to be opposed to the Government operation at Muscle Shoals, of course, and to be in favor of Government operation of public utilities. But does not the Senator favor Government control of any kind of the use of electricity which is generated from our navigable streams?

Mr. LADD. I certainly am, and if the Senator will wait until I am through I think he will find that I pointed out some of the reasons.

Mr. NORRIS. If the Senator is in favor of that, I would like to have him explain why he is favorable to the Ford offer, which proposes that the Government shall turn over to the Ford corporation, without any regulation, all of the surplus energy which will be generated at Muscle Shoals.

Mr. LADD. I can not agree with the Senator that such is done; but I prefer to discuss the matter along this line, and take up those other matters on another occasion.

WHICH, A COMMISSION OR A CORPORATION?

Let us notice for a moment the character of this proposed corporation.

First, does this bill actually create a corporation? There is some doubt in my mind as to whether this is a corporation or is simply a commission. We will take it for granted, however, that it is a corporation. If it is, there is no limit upon its capital, and should it become necessary to have capital in order to begin its operations, then that capital must be obtained by appropriation of Congress or the corporation must rely upon its own resources in order to obtain money. If capital is to be supplied by an appropriation of Congress, then there is a still further delay, and there is no assurance to the Ameri-

can people as to what amounts will be required. Indeed, it is entirely probable that each succeeding Congress will be besieged with requests for additional appropriations. It is safe to assume that there can be no activity in the way of manufacturing fertilizer unless the corporation is at least supplied with sufficient capital for operating expenses. But suppose the corporation should not wait upon Congress for an appropriation, but depends entirely upon its own resources, and the directors should decide that it was necessary to borrow money for operating expenses. Under paragraph (3) of section 4 the corporation has the power "to make and enforce such contracts as may be necessary to carry out the provisions of this act." Under this authority the corporation could borrow money and secure it by mortgage upon any property that was in its possession, and the first step would be made toward turning it over to private control, or else pave the way for burdensome appropriations in order for Congress to save the situation.

ALABAMA POWER CO. AND GORGAS.

It may be contended that funds would be provided by that portion of section 6 which reads, "Said corporation is authorized to negotiate with the Alabama Power Co. for the purpose of settling the difficulties existing between the Government of the United States and the said power company by virtue of the joint ownership of the power plant at Gorgas, Ala.; and it is authorized to sell the interest of the Government of the United States in said plant to the said Alabama Power Co., and to use the money received therefor in the operation of its business as hereinbefore described." But there is nothing in the act which prescribes just what that settlement would be, and the red tape of negotiation for settlement might be strung out over a period of years, most especially should the Alabama Power Co. decide that it would be desirable to delay and hamper the corporation as long as possible. And I might observe in this connection, Mr. President, that it is doubtful if the Alabama Power Co. itself could have drawn a provision that would have been more pleasing to them than this provision which assures them the ownership of the Gorgas plant. It makes it impossible for the directors to dispose of the interest of the Government to anyone else, and serves notice to the Alabama Power Co. that they will have no competition but can negotiate as long as they please and finally, no doubt, settle on their own terms; and that would be most especially true should the corporation experience some period wherein it was short of funds and would be willing to make considerable sacrifice in order to obtain money.

Mr. President, this bill either provides for a private corporation or a simple commission or it provides nothing. If it is a private corporation—and it must be, since it is to be granted a legal entity and the right to sue and be sued, and to adopt, use, and alter a corporate seal, make and enforce contracts, and the other rights of a corporation—then there are some very serious aspects of its powers that should be carefully considered.

In the first place, "said corporation shall have perpetual succession." The bill reserves to Congress no rights to alter, amend, or repeal, and once it is organized and contractual relations established, Congress can not in any way alter or change the law or the powers granted under it, because all the powers granted in the act become part of the contracts entered into by it. On the other hand, if it is not such a private corporation, and Congress has the right to change the law, then the whole act is nothing but a scrap of paper, because any succeeding Congress may change it. It is well established that no Congress has the power to bind any succeeding Congress.

GOVERNMENT WITHOUT CONTROL.

The fact that the corporation is supposed to be controlled by the Government does not affect the legal position of the corporation. This situation again parallels the situation in the Emergency Fleet Corporation. The Supreme Court held (October term, 1921) in the case of Sloan Shipyards Corporation et al., appellants, v. United States Shipping Board Emergency Fleet Corporation and the United States of America, that—

The United States took all the stock, but that did not affect the legal position of the company.

Indeed, there is another point to consider: This corporation being a private corporation, could it compete with other concerns to the extent that it was injurious to their business, and would it not be brought under the restrictions of the Sherman Act, the Federal Trade Commission acts, and other regulatory measures? If so, then all of the wonderful possibilities that the Senator claims for it as an aid to the farmer begin to fade into insignificance. Indeed, it can not be a private corporation for one purpose and at the same time be a Government commission for another purpose. It must be one or the other; it can not blow hot and cold.

IS IT A PRIVATE CORPORATION?

This corporation being a private corporation can very easily get around the provision that attempts to limit the salary of any employee to \$12,000 per annum. Congress may provide that in its charter, but since it is a private corporation and the employees are not under the direction of Congress, there is nothing to prevent the payment of fees and commissions in addition to the salary. Of course, if the salaries were to be paid by appropriations of Congress, then Congress could direct the expenditure of its appropriation. But it is contemplated that this corporation will receive great funds from sources other than Congress.

Now, let us consider for a moment another grave provision in this bill, and that is that the business of the corporation—

shall be transacted by a board of directors consisting of three persons, to be appointed by the President of the United States, by and with the advice and consent of the Senate. Members of said board shall hold their office during good behavior and shall receive a salary of \$7,500 per year, payable monthly: *Provided*, That any member of said board may be removed from office at any time by a concurrent resolution of the House of Representatives and the Senate.

What the Senator has attempted to do here may be commendable, but he has actually done nothing other than to provide that the President shall appoint these directors by and with the advice and consent of the Senate, and that they shall hold their office during good behavior. Notwithstanding the fact that the Senator attempts to reserve to Congress the right to remove these directors by a concurrent resolution, he has not done so. The President has the right of appointment here and he alone will be the judge of "good behavior," and if the President decides that they shall come out or stay in his word alone is final. The only way that Congress can remove one of them is by the constitutional method of impeachment or by abolishing the office, and since the bill does not reserve the right to alter, amend, or appeal, then Congress can not abolish the job. This whole question has been thoroughly thrashed out and settled. The question arose during the first administration of President Cleveland and the whole matter is set forth at length in Senate Report No. 135 of the Forty-ninth Congress, first session. So the Senator simply places these three directors in the same category of all other presidential appointees, and, notwithstanding the fact that he has provided a misdemeanor, punishable by fine or imprisonment, for the use of political influence in the selecting of officers and employees of the corporation, yet these directors will not come within that provision, and they will be subject to the pleasure of each succeeding administration.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. LADD. I yield.

Mr. NORRIS. Does the Senator contend that a new President coming could remove one of those directors?

Mr. LADD. He alone has the authority.

Mr. NORRIS. He would not have authority to remove them any more than he has authority to remove an appointee of the Supreme Court. Does the Senator contend that the President, for instance, President Harding, could remove a member of the Federal Trade Commission?

Mr. LADD. I am not referring to that; I am referring to what took place under the Cleveland administration and a similar power under the bill here.

Mr. NORRIS. Oh, the Senator must be in error about it. The President would not have any authority to remove one of those men, and the only reason the Senator gives why he would have the authority is because he has the appointing power. He would not have any more authority to remove one of them than he would have to remove a member of the Federal Trade Commission. Does the Senator seriously contend that by concurrent resolution the proposed directors could not be removed?

Mr. LADD. I say there is some grave doubt about it.

Mr. NORRIS. I do not think there is a particle of doubt, but if there is, and if the appointment plan is not right, if the Senator has a better way, I would be very glad to follow it. I call the Senator's attention to the fact that the bill never even came before the Committee on Agriculture and Forestry so an opportunity was had for anybody to suggest an amendment. The Senator himself was one of the members, and the other Ford supporters helped him to prevent even the consideration of those propositions by the committee and voted to prevent it from having any opportunity to amend it or even to discuss it. I would like to have the Senator assist us in a constructive way. If there is something wrong with it, or if there is anything that can be offered to improve it—and I have no doubt

the Senator could indicate many places where it ought to be improved—I would go with him wholeheartedly and endeavor to improve it in every respect.

Mr. LADD. That is just why I am trying to point out at this time some of the defects, as I consider them, in the bill. It was only because the Senator made the remark he did a few days ago in the course of his observations that I am led to make the statement I am now making.

Mr. NORRIS. The Senator, it seems to me, is inconsistent in pointing them out now when he and the other Ford men prevented the Committee on Agriculture and Forestry from doing just what I say I would like to have done by constructive statesmen like the Senator—to suggest amendments and improve the measure.

Mr. LADD. And those who are opposed to the Ford offer prevented action also on the other side equally well.

Mr. NORRIS. What action?

Mr. LADD. Favorable action for consideration of the Ford offer.

Mr. NORRIS. The majority of the committee was against accepting the Ford proposition. The majority of the committee, composed of all the Ford men and a few members of the committee who were probably opposed to either proposition, went with the Senator and the other Ford men and prevented the improvement of the bill that ought to be made if the Senator's criticism is right.

POLITICAL MAKESHIFTS.

Mr. LADD. But even in the question he raises about the use of political influence, what is to be the definition of "political or partisan influence"? Who is to determine these things? Is it to be done by a court and jury? Mr. President, the whole idea is simply visionary. We will never accomplish anything in the way of reform by such makeshift measures.

May I direct the attention of the Senate to this thought: Since these directors are to come in the class of other political presidential appointees, who for one moment doubts that they will be subjected to the same pressure of the same old interests? Mr. President, this bill would simply result in a financial juggernaut, a colossus that would crush the whole project. Instead of proving a salvation to the farmer it would prove a curse. I know that the Senator has conscientiously given a great deal of time and thought to this subject, and that there is no man in the Senate who has the interests of the people more at heart, but he has evidently taken some very bad advice in this matter.

WOULD PROTECT BIG BUSINESS.

To this private corporation, with this loose organization, with practically no governmental regulation, is to be granted all of these great properties and without consideration. Mr. President, if there were designing big interests who wanted to "trick" the American people out of all this property, they could not desire a better measure than this bill to accomplish their purpose.

Mr. NORRIS. Mr. President, will the Senator tell just how the big interests would get it? How would they get it away from this corporation?

Mr. LADD. I shall have to object to further interruption at this time and must confine myself to a full discussion of the matter in my own way.

To accept this means of settling the Muscle Shoals matter means to accept a proposition that will either terminate in scrapping the entire project, or eventually turning it over to some special interests for practically nothing. Under this arrangement, Mr. President, like the Shipping Board, it will be made to show losses if it is actually making money. It will soon be held up to the American people as a dismal failure, a white albatross around our necks, a thing to be gotten rid of in some manner—to be "wished" off on some private parties if they are willing to assume the burdens. The farmer's dream of cheap fertilizer will vaporize into the heavens. It is not a pleasant thing to say it, but it is a fact that we must face.

That the administration does not indorse Government ownership or operation of public utilities is clearly evident from statements set forth in President Harding's address before Congress when he said, speaking of the railroads:

Government operation does not afford the cure. It was Government operation which brought us to the very state of things against which we now rebel, and we are still liquidating the costs of that supreme folly.

Mr. NORRIS. Mr. President, I shall not interrupt the Senator if he meant what he said awhile ago that he did not want to be interrupted further. Of course, the Senator has a right to object to interruption, and without complaint I shall accept his suggestion. If he objects I shall not ask any questions, but I would like to ask on the proposition he has just mentioned—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. LADD. I yield for a question only.

Mr. NORRIS. Does the Senator agree with the President of the United States on what he has just read from the President's message?

Mr. LADD. I do not.

Mr. NORRIS. Then on the Muscle Shoals proposition the Senator does agree with the President, who is opposed to my bill, as is the Senator. Is that true?

Mr. LADD. That is not entirely true.

Mr. NORRIS. How true is it? How much truth is there in it? The President has said that he is opposed to my bill, and I think he is, and the Senator from North Dakota is opposed to it. Does the Senator agree with the President?

Mr. LADD. As I shall state further on in my remarks, when there is presented a bill providing Government ownership or otherwise that is more favorable to the people, in my judgment, than the Ford offer, I shall drop the Ford offer and take up the new proposition within 20 minutes.

Mr. NORRIS. I wish the Senator would prepare such a bill. I would like to go with him on it, or modify mine so it will meet that contingency.

Mr. LADD. Mr. President, if one but studies governmental operation and control of our railroads, of the magnificent fleet of ships owned by the United States, and other activities, one can not escape being convinced that there is no intention on the part of certain great interests in permitting Government ownership to succeed even in handling or operating public utilities in the interest of all the people, but it may be done for the benefit of certain groups. For New York to build a great State-owned elevator to handle grain, to promote foreign export, to insure a needed food supply for New York City, and for the special benefit of the middlemen and speculators is lauded as good business and a great achievement. That there should be built a great grain elevator and magnificent cotton warehouses by Louisiana to promote foreign export through New Orleans by the middlemen and speculators is again acclaimed as a great achievement and proper use of governmental funds, but when the producers of my own State propose to erect an elevator to be used for the benefit of the producers in that great basic industry, agriculture, now prostrate because of unfair discrimination on the part of the Government, the manipulation of middlemen and grain speculators with protection of a four to five decision by courts to overthrow the lower courts, the building of such an elevator by the State is nation-wide acclaimed as paternalism, the putting of Government into business, as interfering with the sacred rights of privilege who already have gained control of the insurance companies, banks, mills, railroads, and mines, and who are now seeking to control the land, and by the policy adopted through credit control are fast accomplishing their purpose. Those who advocate such a policy for State warehouses are branded as socialists and dangerous citizens, and at times mob rule encouraged and protected by self-appointed representatives of special privilege which marks a forward step in evolution of government by and for the people. We are now at the fork of the road; which way shall we proceed?

The Senator from Nebraska stated in his speech in the Senate on December 7 (p. 175, CONGRESSIONAL RECORD) that—

When the farmers of America understand the iniquity of this Ford proposition they will rise en masse and condemn it, and they will condemn any man who stands for it.

May I but caution the Senator, Mr. President, that Haman hung on his own gibbet.

The Senator seems to be afraid of corporations, yet he does not seem to realize that he proposes to create a private corporation that will have infinitely more of power than the one proposed by Mr. Ford, and infinitely less of control, supervision, and regulation than the one proposed by Mr. Ford. To my mind, Mr. President, the proposition does not harmonize in the least with the wonderful fight the Senator has made during a long period of years in behalf of the people.

Perhaps we are all prone to overlook faults in our own creation, but it seems to me that the Senator does not apply the same rules of analysis to his own proposition that he insists upon applying to the Ford proposal. Both are private corporations, and there is the distinction that the Ford corporation will have less of power and equally as much, if not more, of regulation under the general laws than will have the proposed Norris corporation. I know of nothing that will exempt the Ford corporation from the operation of the Federal Trade Commission acts, the Sherman Act, and other regulatory measures.

AMOUNT OF FERTILIZERS USED.

Mr. President, during the years from 1913 to 1920, inclusive, the average annual amount of fertilizer used in the United States was 6,543,435 tons (House hearings on Muscle Shoals propositions, p. 96).

I wish to direct the attention of the Senate to paragraph 15 of the Ford offer, which is as follows:

Since the manufacture, sale, and distribution of commercial fertilizers to farmers and other users thereof constitutes one of the principal considerations of this offer, the company expressly agrees that, continuously throughout the lease period, except as it may be prevented by reconstruction of the plant itself, or by war, strikes, accidents, fires, or other causes beyond its control, it will manufacture nitrogen and other commercial fertilizers, mixed at nitrate plant No. 2, or its equivalent, or at such other plant or plants adjacent or near thereto as it may construct, using the most economical source of power available. The annual production of these fertilizers shall have a nitrogen content of at least 40,000 tons of fixed nitrogen, which is the present annual capacity of nitrate plant No. 2. If during the lease period said nitrate plant No. 2 is destroyed or damaged from any cause, the company agrees to restore such plant, within a reasonable time, to its former capacity, and further agrees:

(a) To determine by research whether by means of electric furnace methods and industrial chemistry there may be produced, on a commercial scale, fertilizer compounds of higher grade and at lower prices than farmers and other users of commercial fertilizers have in the past been able to obtain, and to determine whether in a broad way the application of electricity and industrial chemistry may accomplish for the agricultural industry of the country what they have economically accomplished for other industries, and if so found and determined, to reasonably employ such improved methods.

(b) To maintain nitrate plant No. 2 in its present state of readiness, or its equivalent, for immediate operation in the manufacture of materials necessary in time of war for the production of explosives.

This language seems to be plain enough for anyone to understand that the company is bound "continuously throughout the lease period" to "manufacture nitrogen and other commercial fertilizers, mixed or unmixed, and with or without filler, according to demand." We will discuss Mr. Ford's personal liability a little later on.

Also, "the annual production of these fertilizers shall have a nitrogen content of at least 40,000 tons of fixed nitrogen." There seems to be some contention over this point, Mr. President, and some of the opponents of the Ford offer seek consolation in the fact that his obligation to manufacture fertilizer is limited to that amount. There had to be a minimum, and the only reasonable minimum to take was the annual capacity of nitrate plant No. 2, which was the only plant that was running successfully. The fact that Mr. Ford has agreed upon a minimum does not mean at all that he will not produce more. But suppose that he should not produce but the minimum amount, what then?

FORD WOULD MAKE A FOURTH OF ALL FERTILIZERS USED.

How much of commercial fertilizer would that be? I quote from page 367 of the House hearings:

Mr. Ford agrees in his offer "to operate nitrate plant No. 2 at the approximate present annual capacity of its machinery and equipment in the production of nitrogen and other commercial fertilizers (said capacity being equal to approximately 110,000 tons of ammonium nitrate per annum) throughout the lease period," etc.

He therefore agrees to make nitrogen commercial fertilizers and other kinds of commercial fertilizers requiring for their nitrogen content an amount of nitrogen equal to the amount of nitrogen contained in 110,000 tons of ammonium nitrate. Since ammonium nitrate is 35 per cent nitrogen, 110,000 tons of ammonium nitrate contains 38,500 tons of nitrogen. This is sufficient nitrogen to make—

Ammonium sulphate (24 per cent nitrogen), 160,000 tons; sodium (Chilean) nitrate (16 per cent nitrogen), 240,000 tons; 2-8-2 commercial fertilizer (2 per cent nitrogen), 1,925,000 tons.

It should not be understood, however, that Mr. Ford intends to make any of these, for it is his expressed purpose to produce a more concentrated plant food than any of the above forms.

If Mr. Ford should succeed in producing a more concentrated plant food, and can save the farmers in the weight of fertilizer shipments, he will cut down a great deal of the fertilizer expense in freight. It will be seen by these figures, however, that under the proposition to which Mr. Ford is obligated he will produce a minimum of nearly 2,000,000 tons of 2-8-2 commercial fertilizer, or about one-fourth of the amount required for American use. If the theory that the price obtained for our 10 per cent surplus in farm commodities governs the price we obtain for the entire crop means anything, then it should be equally true that the price Mr. Ford will make for his amount of fertilizers, equaling about 25 per cent of what we need for national consumption, should equally affect the price for all the fertilizer sold in the United States. If the theory holds good in one instance, it should hold good in the other.

REDUCE THE COST OF FERTILIZERS.

Even the opponents of the Ford offer seem to think that Mr. Ford will reduce the cost of fertilizer. It is not necessary to assume that he will cut the price in two. That would be very desirable, but suppose he should only reduce the price by \$5 per ton, that alone would mean a saving to the American farmer of approximately \$35,000,000 in a single year. It is granted that none of us expect Mr. Ford to live 100 years, but should he only live for 10 years more and should effect such a saving for the farmer each year—which estimate of saving is not at all unreasonable, but I think it rather conservative—then during those 10 years he would have saved for the American farmer an amount approximating \$350,000,000—a sum far in excess of

the cost to the Government of the entire project. Naturally, Mr. President, these great savings to the American farmer will be chipped off from the unreasonable profits that the Fertilizer Trust would realize out of the American farmer, and we may expect them to set up a great howl. To turn this proposition over to Henry Ford will be one of the greatest investments the Government could make in behalf of the American farmer.

GUARANTEE TO MAKE FERTILIZERS.

Mr. President, I think there can be no doubt that Mr. Ford has obligated himself to produce a complete fertilizer. The language of paragraph 15, which I have just quoted, clearly obligates him to manufacture it either "mixed or unmixed, and with or without filler, according to demand." I do not see how he could employ any language more definite than that. Then his representative, Mr. Mayo, in his explanations of the Ford offer before the House committee (House hearings, p. 253) declared that he will make a complete fertilizer. I quote as follows:

Mr. MORIN. In the form produced at nitrate plant No. 2, it is not a fertilizer, but is a fertilizer compound; is not that true?

Mr. MAYO. He intends to produce a complete fertilizer.

Mr. MORIN. He intends to produce a complete fertilizer?

Mr. MAYO. Yes, sir.

Mr. MORIN. Would it be sold in this form to the farmer?

Mr. MAYO. Yes, sir.

Mr. MORIN. Could the farmer use it in this form without the addition of the other essential ingredients?

Mr. MAYO. He will be able to use the completed product as it will be furnished from that plant.

Mr. MORIN. As it will be furnished to him?

Mr. MAYO. Yes, sir.

Mr. MORIN. It will not be necessary, then, for the farmer to mix it with the other ingredients in order to market this product through the fertilizer mixers now existing?

Mr. MAYO. Not further than perhaps mixing it with dry earth or sand or something he has right at hand.

Mr. President, it may be contended that Mr. Ford is not obligated by this testimony. It does not make any essential difference whether he is or not. The essential fact is that he is obligated by the terms of his office to "manufacture nitrogen and other commercial fertilizers, mixed or unmixed, and with or without filler, according to demand." This testimony, however, is important in that such intention is emphasized and clarified by his personal representative.

In order to produce mixed complete fertilizers, Mr. President, Mr. Ford would have to manufacture or purchase phosphoric acid and potash. Phosphates are abundant near by, and it has been pointed out by Mr. Mayo (p. 281, House hearings) that the necessary ingredients of fertilizer can be obtained within a radius of 100 miles of the plants; also, Mr. Theodore Swann, president of the Federal Phosphorus Co., of Birmingham, Ala., has shown (House hearings, pp. 432 to 434) how the phosphate rock can be smelted in an electric furnace and phosphoric acid collected for use in the fertilizer industry, and that such a method will reduce the present costs of fertilizer.

Mr. McKELLAR. Mr. President, may I interrupt the Senator long enough to say that there are inexhaustible beds of phosphate rock in southern Tennessee within 100 miles of Muscle Shoals?

Mr. NORRIS. Mr. President, if the Senator will permit me to interrupt there along the same line—

Mr. LADD. Certainly.

Mr. NORRIS. I do not suppose it will be contended that there is not anybody except Mr. Ford who can utilize that great quantity of phosphate.

Mr. McKELLAR. Oh, no; but my contention is that in view of his success in the past in handling machines, if he makes the same kind of success in manufacturing or getting together fertilizers that he made in automobiles he will make it a great success.

Mr. NORRIS. That ought to go to show, and I think does, that anybody—the corporation provided for in this bill that is being condemned, if it is set up, which goes a great deal further than that, or Mr. Ford, or anyone else—will be able to utilize that product, and ought to utilize it, and that it ought to cheapen fertilizer, no matter who does it.

Mr. McKELLAR. We hope so.

Mr. LADD. All of this can be done at Muscle Shoals; and Mr. Ford contemplates experiments along that line, as indicated by section (a) of paragraph 15 of his proposal.

PROFITS LIMITED, HOW?

Mr. President, paragraph 16 of the Ford offer provides the manner of appointment of a board of nine members for the purpose of seeing that fertilizer is manufactured at a profit not to exceed 8 per cent. Here are some of the powers of that board:

The said board shall determine what has been the cost of manufacture and sale of fertilizer products and the price which has been

charged therefor, and, if necessary for the purpose of limiting the annual profit to 8 per cent as aforesaid, shall regulate the price at which said fertilizer may be sold by the company. For these purposes said board shall have access to the books and records of the company at any reasonable time. In order that such fertilizer products may be fairly distributed and economically purchased by farmers and other users thereof, the said board shall determine the equitable territorial distribution of the same and may, in its discretion, make reasonable regulation for the sale of all or a portion of such products by the company to farmers, their agencies, or organizations.

Mr. President, the Government could not devise any method that would better protect the farmers of the Nation in the fertilizer that is to be manufactured at Muscle Shoals than in this method. No man could make a fairer or better proposition than this. I do not see how it can be subjected to misinterpretation. Now, how are the members of this board appointed? The board is to consist of nine voting members and a representative of the Bureau of Markets, who will serve in an advisory capacity. Of these nine voting members only two are to be designated by the company, and the other seven are to be selected by the President of the United States from a list proposed by various representative farm organizations, and the President is to then send these seven selections in to the Senate for confirmation.

WHO WILL DUPLICATE FORD'S OFFER?

It is small wonder, Mr. President, that of all the big interests affected by Muscle Shoals none of them have made the Government a proposition that in any way approached the Ford offer. It was simply too staggering for them. Mr. Ford has offered the Government so much more than any of these big interests who are primarily affected are willing to offer that all they can do is to rear back on their haunches, spout their high-priced wisdom, and protest against the acceptance of the Ford offer. Ah, Mr. President, Henry Ford has been too much for them; he does not play the game according to Hoyle. They know he will succeed, and they know his success at Muscle Shoals means more for the farmer and less for them. All they can do is criticize. If his offer is not the best thing for the people of the United States, why do not some of them propose something that is better? As I have before stated, the burden is not upon Henry Ford to show that his offer is the best thing for the country, but the burden is upon the Ford opponents to produce something better. There has been only one proposition that I have heard anyone contend with any seriousness was better than the Ford offer, and that is the proposition embraced in the bill of the Senator from Nebraska. I think I have very effectually shown, Mr. President, that his measure falls far short—indeed, would be very dangerous.

HOW FERTILIZER MEN VIEW IT.

In fact, Mr. President, I was very much struck by the line of argument employed by the Senator from Nebraska against the Ford offer. It reminds me very much of the objections raised by Mr. Charles H. MacDowell, president of the National Fertilizer Association and president of Armour Fertilizer Works—one of the packer concerns—and other big connections, when he stated that the fertilizer manufacturers were opposed to the Ford offer. He said (House hearings, p. 523):

Mr. HULL. Why are they opposed to the Government accepting the Ford proposition?

Mr. MacDowell. * * * One reason is a public-policy reason, where they think it is questionable public policy to provide facilities and overfacilities at a water power for one man to monopolize for 100 years. They do not think that it is wise public policy to give one man the power to say to a community what kind of industry shall be located in that particular section of the country.

Imagine such benevolent attitude in packer and fertilizer trust councils, if you can.

There has been much objection raised to the 100-year feature of the Ford proposition. One cry is that Henry Ford can not be expected to live for another 100 years, and that his liability ceases upon the formation of his proposed company. In the first place, Mr. President, contemplating the vast expenditure of money that Mr. Ford will have to make in order to carry out his plans of development, he would not be justified in making such a tremendous outlay of money unless he had a longer period than 50 years. Furthermore, Mr. Ford proposes to back up this proposition with his entire wealth. What further evidence of good faith could he give? The very fact that he does not expect to live for another 100 years is evidence of the fact that he is not in this proposition for the purpose of making money. If it offered such tremendous advantages for money-making, you may rest assured that the great capitalistic interests of this country would very soon be in the field with a better offer to the Government. Everyone knows that Henry Ford is in this matter for the purpose of helping the American people; that is why his opposition is so fierce and denunciatory.

FORD'S GUARANTY.

The Senator from Nebraska said (CONGRESSIONAL RECORD for December 7, 1922, p. 175) in referring to Henry Ford:

He is going to organize a corporation with a capital stock of \$10,000,000. It is that corporation and not Henry Ford with which the Government deals. He binds himself, his heirs and executors, to what he has agreed to do in the contract, and that is to organize that corporation. When he organizes it with a capital of \$10,000,000 he has complied with his proposition. He is not liable any further.

I must confess that I can not, however hard I try, construe the language in the Ford offer to mean what the Senator from Nebraska has interpreted it to be. In the first place, Mr. Ford is to organize a corporation "with a capital stock of \$10,000,000 or more, of which at least \$10,000,000 shall be paid in in cash," and it is to be controlled by himself. (Par. 1.)

In the next place, and this is what seems to most concern some of the Ford opponents, Mr. Ford has not "complied with his proposition" when he organizes the company. His liability does not cease there, but his estate—his heirs, representatives, and assigns—is obligated to the terms of his proposal throughout the lease period. Let me direct the attention of the Senate to the language employed in paragraph 20 of the Ford proposal:

Upon acceptance the promises, undertakings, and obligations shall be binding upon the United States, and jointly and severally upon the undersigned, his heirs, representatives, and assigns, and the company, its successors and assigns.

I do not see how more definite language could be employed. This language plainly obligates the estate of Henry Ford just so long as the contract is in existence. It could not let him out upon the organization of the company, as asserted by the Senator from Nebraska; the language expressly states that Ford, his heirs, representatives, and assigns are "jointly and severally" bound. To whom else could the words "jointly and severally" apply? It could not apply to that period of time before the organization of the company, because the company will not have had any legal existence prior to its organization. There would have been no person, no legal entity, with whom he could have been "jointly and severally" obligated. No other construction can be placed upon the language than that Henry Ford and his estate is obligated to the terms of the contract just so long as the lease is in existence. Should Ford not be a man of sufficient business judgment to provide for this liability to the satisfaction of the Government in his will, then his whole estate will be held in abeyance until a proper adjustment is made; unless, of course, the Government should sleep on its rights. Mr. President, the Senator's argument fails.

Mr. NORRIS. Mr. President, may I interrupt the Senator there?

The PRESIDING OFFICER (Mr. BROOKHART in the chair). Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. LADD. Certainly.

Mr. NORRIS. The Senator has correctly quoted me when I gave my construction of the contract. I have so often heard the assertion made that the Senator has made now, and I have so often had other people criticize me for making the assertion that the Senator has just quoted, that I have looked into it as carefully as I am capable of examining any instrument; and while I have perfect respect for the Senator's opinion, I am just as confident that my construction is right as I am that I stand here on the floor of the Senate.

The proposition of Ford is, toward the end of it, which the Senator has read, that the signers are bound, and they bind their heirs and assigns. To what does it bind them? To comply with the conditions of the offer. In the offer the only thing that Henry Ford is bound by is that he will organize that corporation; and my contention is that when he has organized it in accordance with the offer he is relieved from personal liability.

I have never advocated that as any great objection to Ford's proposition. Personally, I do not think it is much of an objection. I would not expect Henry Ford to bind his heirs and assigns. If the Senator's construction is right, let me tell him what would follow as a matter of law. It would follow that if, after that contract was made and had been in force for 10 years, Henry Ford should die, his entire estate, every piece of real estate and property that he owns anywhere on earth, would be held in abeyance for 90 years, until the expiration of that entire contract. Do you suppose Ford wants to make that kind of a contract?

I will say frankly to the Senator that I do not think the Government is in danger of losing any money on this proposition, so that I think it is quite immaterial from my viewpoint; but

I do insist that any lawyer who will examine that contract and give the Senator an opinion will agree with me that when Henry Ford organizes the corporation with the paid-in capital required he has complied with the part of that contract that he is personally obligated to perform. Personally, as to what will happen down there, I do not care, because, according to my theory, he is going to get something and his corporation is going to get something that will be so big and so profitable that I do not expect that there will ever be any danger but that the Government could recover in case the contract was violated as it went over the 100 years, because the corporation would be sufficient security.

I will say to the Senator that I do not offer that now, and I never have offered it, as any particular objection to the plan. I have mentioned it because so many people have said, "Why, Ford has bound himself and his estate that he will do so-and-so with fertilizer," when he has not done anything of the kind, if my viewpoint is right. It is the corporation that has done it. He has complied fully with his contract when he has organized it, and if he is a sane man we could not expect him to and he certainly would not bind his estate over a period of a hundred years, much of which must elapse after he is dead, and prevent the settlement of his estate.

Mr. LADD. The Senator may be right or wrong. I am a layman. I am not a lawyer.

Mr. NORRIS. I will say to the Senator that I do not offer it as anything of importance.

Mr. LADD. Two lawyers have told me that my interpretation is correct, but I will make no contention on that particular point.

Mr. President, under his proposal Mr. Ford will lease from the Government—

Dam No. 2, its power house, and all of its hydroelectric and operating appurtenances, except the locks, together with all lands and buildings owned or to be acquired by the United States connected with or adjacent to either end of said dam. (Par. 3 of Ford offer.)

According to the letter of the Secretary of War transmitting the Henry Ford Muscle Shoals offer, dated February 1, 1922—

The total expenditures on Dam No. 2 have been \$16,251,038.14 (p. 3). This dam will be leased by Mr. Ford and will remain the property of the Government. Mr. Ford's company will "pay to the United States during the period of the lease of Dam No. 2, \$35,000 annually in installments quarterly in advance for repairs, maintenance, and operation of Dam No. 2, its gates and locks." (Par. 4 of the Ford offer.)

At all times during the period of the lease of Dam No. 2 the company will furnish to the United States, free of charge, to be delivered at any point on the lock grounds designated by the Chief of Engineers, United States Army, electric power to an amount necessary for the operation of the locks, but not in excess of 200 horsepower. (Par. 5 of the Ford offer.)

The same conditions apply to Dam No. 3, and the company will pay \$20,000 annually, in installments, quarterly in advance, for repairs, maintenance, and operation, and will furnish free power for the operation of the locks. (Pars. 7, 8, and 9 of the Ford offer.) This is yet to be constructed.

Paragraphs 11 and 12 of the Ford offer, which I will insert in the RECORD, set forth the property to be purchased by Mr. Ford. It is difficult to get any accurate estimate of the actual expenditure of the Government on these properties, as they are so interwoven with the properties that will be retained by the Government that it is hard to say with any certainty just what exact portion of the expense went for the property to be leased and just what exact portion went for the property to be purchased. The Secretary of War in his letter transmitting the Ford offer, dated February 1, 1922, gives quite a discussion of this matter.

It seems to be pretty generally admitted, however, that the relative cost of these properties is not fundamental. The other principles involved are the things about which the country is interested. The supreme question is, What is the best thing to do with this property? In what manner will the American people get the most out of it? To date there seems to have been nothing that offers in any way as much as does the Ford offer. I think I have illustrated how the savings Henry Ford could effect in fertilizer alone would soon more than pay for all of the property. These unreasonable profits in fertilizer, which are after all an indirect subsidy, have already cost the American farmer many times the cost of all the Muscle Shoals property.

As I have before stated, the only plant that has been successful in the manufacture of nitrates at Muscle Shoals has been plant No. 2, the cyanamid process. The Haber process at plant No. 1 was not successful, but it is entirely probable that by a reinstallation of machinery there plant No. 1 will be made ready for the manufacture of fertilizers also. However, Mr. Ford is not compelled to follow either the Haber or the cyanamid processes; he may have a method of his own and one that will prove superior to either of the others. We all acknowledge

his genius along the lines of development. If he installs his own method and is enabled to produce cheaper than the present processes then there is that very great possibility that the cost of fertilizer will be cut in two, notwithstanding the fact that there are those who now hoot at the idea. Regardless of the hooting, however, Mr. Ford's representative, Mr. Mayo, expressed the belief that Mr. Ford could produce fertilizer so that "it will not cost more than half." (House hearings, p. 284.) He also stated that Mr. Ford hoped to start producing within a year. (House hearings, p. 257.) I think I have shown that under the Norris plan it is doubtful if there would be any real activity within two years, if then.

The Senator is apparently honestly concerned over the granting of anything that might be a monopoly to a private corporation. In looking over the record, Mr. President, I was astonished to find that the Senator from Nebraska [Mr. NORRIS] was one of the two Republicans that voted for the greatest private monopoly that has ever been granted by any legislative body—that was when he voted for the Federal reserve act, which gave to private banking institutions a complete monopoly over the issuance and control of the money and credits in this great Nation.

Mr. NORRIS. I plead guilty to that charge, and I am not sorry that I voted as I did. I plead guilty to it, and am willing to stay guilty. I did vote for the Federal reserve act, and I think it will result in good if it is administered properly. But the Senator is condemning me now, in his argument on the Ford question, because I voted for the Federal reserve act. I hope he will apply that argument to the Senator from Alabama, and the other Ford supporters in the Senate, and see where he comes out. If I am to be condemned on the Ford proposition because I voted for the Federal reserve act, just let the Senator apply that argument to his colleagues who were in the Senate at that time, and you are aching now to give Ford this great monopoly, and see where he comes out.

Mr. LADD. There has never before been seen such a monopoly. The farmers of this country know the curse that it has proved to them. Since the Federal reserve act was passed in 1914 the farm indebtedness in the United States has increased over 25 per cent, and the farmers are less able to pay off a debt to-day than they were in 1914. Oh, yes; the farmers of this country know what drastic deflation meant to them, when there was wrung from their toil and labor five billions of dollars in value out of a single crop. Oh, yes; the farmers of this great land who have witnessed the foreclosure on their property and the loss of a life's savings know what that has meant to them. I earnestly hope that the Senator will not be deceived about this great Muscle Shoals measure that so vitally affects the farmer.

Mr. President, if we are to save this great project for the people of this land the only plan that has been offered us that promises any hopes of doing it is the Ford offer. Let not the Members of this body be deceived. If we are to do our duty by the great farming interests of this country we must support the Ford offer until such time, if that ever be, that a better proposition for the people is offered us. When that time comes I will most gladly support it. This is not the time to be victimized by "jokers."

Mr. President, I expect in the near future from another angle to present a different view of this great problem and with special reference to the use of fertilizers indicate the direct importance in relation to a successful agriculture and to point out how vital it is that cheap fertilizers be furnished our farmers if we hope to continue to develop our own food supply, to meet the needs of the people of our country even for the present century.

Mr. NORRIS. Mr. President, before the Senator takes his seat, I want to ask him another question. I interrupted the Senator at the beginning of his remarks and asked him to point out where it was in the Ford offer that Mr. Ford proposed to build reservoir dams and storage dams up the Tennessee River, and he said he would take that up later. He has not taken it up, and before he yields the floor I would like to have him read from the Ford offer anything that directly or indirectly binds either Ford or Ford's corporation to build reservoir dams or storage dams up the Tennessee River.

Mr. LADD. Mr. President, when I said I would take that up later, I did not mean to-day. I expect to speak several times on this proposition.

Mr. NORRIS. I desire to ask the Senator another question before he takes his seat. Is there anything in the Ford offer which provides for such storage and reservoir dams?

Mr. LADD. So far as I am aware, there is not anything that binds them; on the other hand—

Mr. NORRIS. Is there anything that does not bind them?

Mr. LADD. Just wait until I am through. On the other hand, he can not develop the industries which he proposes to develop down there, utilize the water power, and get the maximum primary power without so developing it.

Mr. NORRIS. What are those industries? There is nothing in the Ford offer to the effect that he is going to develop any industry. If the Senator's statement is accurate, the Senator has some private information which is not in the contract.

Mr. LADD. I said that if he develops any great industry down there, not any particular industry.

Mr. NORRIS. The Senator can not point out where Ford has made, either directly or indirectly, any proposition that he will ever build a storage dam, or even make a survey to see whether the water can be stored up on the Tennessee River to equalize the flow over the dams that are in question.

Mr. UNDERWOOD. Mr. President, I have listened with much interest to the contribution of the Senator from North Dakota [Mr. LADD] with reference to this important question. I do not intend to take up the time of the Senate to debate the question now. I wish the Senate had been afforded an opportunity to vote directly on Mr. Ford's offer. I do not think it has been fair to Mr. Ford or to the people of the country in that a direct vote has not been taken on Mr. Ford's offer.

It must be borne in mind that the question of the utilization of the Muscle Shoals Dam now rests with the party in power. Two years ago the Senate passed a bill providing that that dam should be operated by the Government, and that proposition was rejected in the other House by the party in power. Then, realizing that something had to be done and that millions should not be wasted by allowing that water to go over the dam with no utilization made of it, the Secretary of War proposed that the matter should be open for those people in the United States who desired to make bids on it. That did not come from the Congress, it did not come from Mr. Ford, it did not come from the men who are supporting Mr. Ford's offer, but it came from the administration itself, and bids were called for from those who would come and finish the dam and operate the nitrate plant at Muscle Shoals.

Not on his own initiative, but in compliance with that request of the Government, Mr. Ford made a proposal. The Secretary of War might have rejected it then if he had wanted to do so, and that would have been the end of it so far as Mr. Ford was concerned, because he could not have gone any further; but the Secretary of War submitted the matter to the Congress.

Congress has no right to amend or alter Mr. Ford's proposition. It is his proposition. Congress is entitled to do only one thing about it—accept it or reject it.

Of course, the proposal Mr. Ford has made has cost him some money. He had to have engineers in order to make his estimates; he had to know what he was going to do; and he made a proposal to the Government, which has been submitted and which has been lying before the Senate for more than a year.

I am in favor of accepting it. Other gentlemen may be in favor of rejecting it and think that some other plan is better, but I do not think that under these circumstances the Senate of the United States has a right to ignore the offer; and that is the situation in which the matter rests to-day.

Mr. HEFLIN. Mr. President, I want to add just a word to what my colleague has said regarding the timely and very able address of the Senator from North Dakota [Mr. LADD].

He has shown the necessity of accepting the Ford offer. He has shown how advantageous it would be to the farmers of America. He has shown that Ford has undertaken to take up a project which had been junked upon the recommendation of the committee on the part of the House of Representatives which visited Muscle Shoals some time ago. He has shown that the Ford offer is now pending, and that Mr. Ford is entitled to have his offer acted upon.

He has made it plain that Henry Ford should not be criticized for offering to do something with Muscle Shoals, because when he found it it had been abandoned, the work had been stopped, the Government property was deteriorating; and when Ford brought the matter back to public attention he rendered a great service to the whole country, whether he ever gets the project or not.

He has pointed out that the Government, by accepting Ford's offer, can do more good with that project for more people than could be done through any other utilization of it. He has shifted the burden to those who support makeshift legislation, to those who stand behind stalking-horses, which are simply being used for the purpose of preventing an acceptance of Ford's offer.

There are a good many people in this country who are opposed to Ford's offer who would lend encouragement to those who

favor the Norris or some other bill, who really would not want to see the Norris bill ever become a law; but when they have a proposition like that pending, they get behind it for the purpose of defeating something which is about to be accepted, and then, when that project is out of the way, they turn their guns upon the other proposition and proceed to shoot it out of the way.

Mr. McKELLAR. Mr. President, in that connection I wish to say that I have received letters from men in Tennessee saying that large numbers of the speeches of the junior Senator from Nebraska [Mr. NORRIS] are being circulated in Tennessee and neighboring States. Of course, I am sure that they are not being circulated by the junior Senator from Nebraska, but they are being circulated by the interests, those particular companies to whose interest it would be to keep Mr. Ford out of this property.

Mr. HEFLIN. That is correct, I think. I was about to say that when these interests succeed in getting the Ford offer rejected and in then defeating the project which they pretended to support while the Ford offer was pending, they will wait a little while and go to the Government and say, "There is Muscle Shoals idle. It ought to be taken and disposed of in some way; and while it is not worth very much, we would pay you something for it." They would do that in the hope of getting it for nothing. They would strangely influence some engineer to go down and make an inspection of it, and come back and report that it ought to be disposed of, and that a certain figure would be reasonable. The Government in the past has been beaten out of millions of dollars in just that way. This is one project that is not going to be disposed of in that fashion.

Mr. McKELLAR. I call the Senator's attention to the fact that the Alabama Power Co. is using Plant No. 2 now in just the way the Senator has pointed out. It does not have to wait for the future; it is being done right now. They are renting the plant at a nominal figure and using it.

Mr. HEFLIN. I understand that is true. I have no objection to Plant No. 2 being used by the Alabama Power Co. while the matter is pending. Of course, I would rather it would be used and the Government get a little something for it than to have it stand idle. But the aim and end of those who are opposing the Ford offer is to defeat the Ford offer and then to put the Norris bill to sleep, and then come to the Government and get the project at Muscle Shoals for a song. I repeat they are not going to do that with this project. The Government has been imposed on many times in the past in that way, but the people are getting wise to it.

Now, with reference to the suggestion of my friend from Tennessee [Mr. McKELLAR] that the speech of the Senator from Nebraska has been broadly circulated, I raised that question in the presence of the Senator from Nebraska the other day, and said that it was being circulated by the thousands and that I did not know who was circulating it, but that the Senator knew. The Senator was sitting here, and he did not say who was circulating it. The Senator from Tennessee suggested that probably some of the interested parties are circulating it. That appears to be the situation. I know something about a situation of that sort. The Federal reserve banks, under the direction of the governor of the Federal Reserve Board, sent out 140,000 copies of a speech against my position on deflation. That cost them between \$7,000 and \$10,000. When outside interests that are being favored by a policy of a governmental institution will circulate the speech of a Senator in that way, it is unfair to the Senator who has made a speech attacking the proposition, because he is not supposed to be able to circulate his speeches on such a large scale, and it does raise a very nice question as to who is circulating this speech attacking the Ford offer.

Mr. President, I merely rose to compliment the Senator from North Dakota upon the splendid presentation he has made to the Senate and the country regarding the Ford offer. He has offered a statesmanlike solution of the problem. I repeat, in conclusion, that he was right when he said that the Ford offer will do things that will bless and benefit more people than in any other way in which Muscle Shoals could be disposed of.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12817) to amend and supplement the merchant marine act, 1920, and for other purposes.

The PRESIDING OFFICER. The pending question is the motion of the Senator from Nebraska [Mr. NORRIS] to proceed to the consideration of the bill (S. 4050) to provide for the purchase and sale of farm products.

Mr. FLETCHER. I submit several amendments to the pending bill, and in order to save printing them separately I have arranged them as one amendment.

The PRESIDING OFFICER. The amendments will be printed and lie on the table.

Mr. FLETCHER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Bayard	Glass	McLean	Reed, Pa.
Brandegee	Harris	McNary	Sheppard
Brookhart	Harrison	Moses	Shortridge
Broussard	Hefflin	Nelson	Simmons
Bursum	Johnson	New	Smith
Calder	Jones, N. Mex.	Nicholson	Smoot
Cameron	Jones, Wash.	Norbeck	Spencer
Capper	Kellogg	Norris	Sterling
Caraway	Kendrick	Oddie	Sutherland
Culberson	King	Overman	Townsend
Curtis	Ladd	Page	Trammell
Dial	La Follette	Pepper	Underwood
Dillingham	Lenroot	Pittman	Wadsworth
Ernst	Lodge	Pomerene	Walsh, Mont.
Fletcher	McKellar	Ransdell	Warren
George	McKinley	Reed, Mo.	Williams

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Sixty-four Senators have answered to their names. There is a quorum present.

Mr. HARRISON. Mr. President, I desire to present a unanimous-consent request. I understand we are going to adjourn from Friday until Tuesday. If the program of the Banking and Currency Committee is carried out as stated by the chairman of that committee on the floor yesterday, they will probably make their report the first of next week. I ask unanimous consent that the Senate vote on the Norris motion at not later than 4 o'clock on Wednesday of next week.

The PRESIDING OFFICER. Is there objection?

Mr. JONES of Washington. I want to have it understood, if the request is agreed to, that the Senate will go right on considering the shipping bill. I think it has a right to do it, and to dispose of any amendments to the bill until the bill is displaced, if the motion of the Senator from Nebraska should prevail.

Mr. HARRISON. Do I understand the Senator to say that if a majority of the Senate should vote to take up the Norris bill he would then want to lay aside that bill or any substitute that might be proposed for it and proceed with the ship subsidy bill?

Mr. JONES of Washington. No; the Senator misunderstands me. It was suggested this morning that we could not take up amendments to the shipping bill until the motion of the Senator from Nebraska had been disposed of. This morning when I asked unanimous consent that we fix a time to vote on the Norris motion I suggested that if we did fix a time we could go on dealing with amendments to the shipping bill in the meantime. I think we have a perfect right to do that. I think it is entirely in order. I believe we have a right to consider and dispose of amendments to the shipping bill until it is displaced, if it ever should be, and I wanted to have that clearly understood. I have no objection to fixing a time to vote on the Norris motion, even next Wednesday, but I want the Senate to understand that we are not going to sit still in the meantime, but we are going to proceed with the consideration of the shipping bill.

Mr. HARRISON. I thought perhaps there would be an appropriation bill brought before the Senate to-morrow or the next day, which would take up some of the time of the Senate, and in the meanwhile there would probably be discussion of the Norris motion or the ship subsidy bill.

Mr. JONES of Washington. As long as there is discussion or any other business coming before the Senate, that is all right; but if discussion runs out and there is an opportunity to vote on an amendment to the shipping bill, I expect to have the Senate do that. Let me ask the Senator a question. The Senator did not understand that if his request were granted that would halt all proceedings on the shipping bill, did he?

Mr. HARRISON. I thought, perhaps, we should go ahead and discuss the ship subsidy bill and also discuss the agricultural relief measure, which is known as the Norris bill, as well as other bills.

Mr. JONES of Washington. I understood that that probably would be so, but I did not wish to be foreclosed, if debate stopped, from voting upon amendments to the shipping bill.

Mr. HARRISON. The amendments are so important that I imagine there will be a good deal of discussion on them, but the motion to set aside the ship subsidy bill and to take up the agricultural relief bill is more important than are the amendments, I imagine.

Mr. JONES of Washington. I think that is very true.

Mr. BRANDEGEE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Connecticut?

Mr. HARRISON. I yield.

Mr. BRANDEGEE. If the vote on the motion of the Senator from Nebraska [Mr. NORRIS] is to be deferred for a week and is then fixed for a particular hour, in order that Senators may know when to be here and when the motion is to be voted on, would it not be wise to include in the unanimous-consent agreement the statement that any other motion made between now and that time that the Senate proceed to the consideration of another measure should not be in order? In other words, there is a motion pending, made by the Senator from Nebraska, to proceed to the consideration of the agricultural relief bill, if that be its name. If we should agree by unanimous consent to vote on the pending motion at a particular hour it would not follow that the Senator would be precluded from rising in his place to-morrow and moving to proceed to the consideration of some other bill, which would leave the Senator from Washington [Mr. JONES] in exactly as bad a position, so far as deciding the real merits of the question at issue is concerned, as that in which he is left by the motion of the Senator from Nebraska. I think the Senator will understand what I mean.

Mr. HARRISON. Yes; but the chairman of the Committee on Banking and Currency has stated that that committee will not be able to report out the rural credits bill until the first part of next week.

Mr. BRANDEGEE. I understand; but suppose we agree to vote on the motion of the Senator from Nebraska on next Wednesday, a week from now, which motion, if agreed to, would displace the ship subsidy bill, and suppose that to-morrow the Senator from Mississippi should arise and move to proceed to the consideration of some other important measure and a vote should be taken on that motion.

Senators wish to be here when the vote is taken on the motion of the Senator from Nebraska or on any motion to displace the pending measure. That is the object of Senators. Those who are in favor of the shipping bill do not wish it displaced, while those who are in favor of some other measure wish to displace the shipping bill, and it is immaterial to them whether it shall be done by the prevalence of the motion of the Senator from Nebraska or that of any other Senator.

Mr. HARRISON. The Senator from Connecticut is not stating our position in its entirety.

Mr. BRANDEGEE. Oh, no.

Mr. HARRISON. Some of us are in favor of the agricultural credits legislation, and believe it is a great deal more important than is the ship subsidy bill.

Mr. BRANDEGEE. Of course, there may be several bills presented for the relief of agriculture. My point is that the reason for fixing a time for voting on the motion of the Senator from Nebraska is in order that Senators may be here when it is decided whether the Senate will continue to hold the ship subsidy bill before the Senate or not.

Mr. HARRISON. What change would the Senator from Connecticut suggest in the request for unanimous consent?

Mr. BRANDEGEE. I was simply asking the Senator if we are to have a unanimous-consent agreement to vote on the motion of the Senator from Nebraska on next Wednesday at a particular hour that it be coupled with a unanimous-consent agreement that pending the arrival of that time no other motion shall be in order to displace the shipping bill.

Mr. HARRISON. That is perfectly agreeable to me.

Mr. SMOOT. Mr. President, if the unanimous-consent agreement is entered into, then no amendment may be offered to the shipping bill until after next Wednesday at 4 o'clock.

Mr. BRANDEGEE. Oh, yes; it may be.

Mr. SMOOT. No; because the motion will be the pending question. We may discuss the bill until next Wednesday, and we may vote upon the motion at 4 o'clock next Wednesday, but if any Senator should desire to offer an amendment to the bill in the meantime it would be out of order, because there is a motion pending.

Mr. JONES of Washington. Mr. President, while I do not agree with the position of the Senator from Utah in that respect, I am not going to get into any controversy over that. I object to the request.

Mr. HARRISON. Mr. President, of course we are very sorry that we can not reach a unanimous-consent agreement on this question. I thought that, perhaps, the Senator from Washington would be the last Senator to object to entering into a unanimous-consent agreement to vote on the motion. I based that supposition on an item which I read in a newspaper this morning, not stating specifically that the Senator from Washington, who is in charge of the pending legislation, had charged

the Democrats with filibustering but hinting in that direction. I presume he was laying a predicate upon which to make that charge later on.

Mr. JONES of Washington. Mr. President, I wish to say to the Senator from Mississippi that there is nothing that I said to anybody that could be construed as suggesting that the Democrats were filibustering, and if any statement of that kind was made in the newspapers it was made without any foundation whatever.

Mr. HARRISON. I am glad to hear that, because it was so stated in the official organ of the Republican Party published in Washington. I refer to the Washington Post.

Mr. JONES of Washington. I hope the Senator will not charge to me what may be published in any "official organ" of any administration.

Mr. HARRISON. I am very glad to hear that statement. I knew that the Senator knew that it could not be charged that there was any filibuster against the ship subsidy bill, because the Congress has only been in session for some 10 days, and during that time there has been more speed displayed in passing appropriation bills, I dare say, than has been evidenced in the history of the Senate.

Mr. President, I think—and if I am not correct I ask the Senator from Utah to correct me, as he is a member of the powerful Appropriations Committee—we have passed through the Senate at this early stage, during the short session of Congress, three great appropriation bills which ordinarily take months to pass. We have shown so much cooperation, such a spirit of speeding up legislation, that those three great appropriation bills already are out of the way and much wholesome discussion has been had on the floor touching the ship subsidy and agricultural relief bills.

Mr. JONES of Washington. Mr. President—

Mr. HARRISON. I do not know the figures carried in those three great appropriation bills, but they approximate \$180,000,000. The Senator from Washington, being one of the members of that committee, I wish he would tell me what was the sum total of those three appropriation bills which we have passed through the Senate at this early stage of the session?

Mr. JONES of Washington. Mr. President, I rose to say that I indorse heartily what the Senator from Mississippi has said; there is no issue between him and me about that question at all; and I was going to express the hope that we might continue the speed referred to by him by voting right away on the motion of the Senator from Nebraska.

Answering the Senator's question, I will say that the bill for the Department of Commerce carried, in round numbers, \$25,000,000. As to the other two appropriation bills, I am not a member of the subcommittee which considered them, and I do not remember their totals.

Mr. HARRISON. I presume the sum total would be more than \$175,000,000.

Mr. JONES of Washington. I confirm absolutely what the Senator has said, that there has been no filibuster developed on the pending bill on the Democratic side at all; but, with reference to that measure, we have had the heartiest cooperation of the other side, as we have had on the appropriation bills; and I had hoped that cooperation might be continued so that we might be able to get a vote in a very short time on the pending motion.

Mr. HARRISON. I am sure we are going to have that high degree of cooperation to the end. I hope the consideration of the appropriation bills will be speeded up. No doubt there will be another appropriation bill reported out to-morrow, if the Committee on Appropriations shows its usual degree of energy; and if it is reported out, no doubt we can also pass that measure quickly.

The discussion which has proceeded has been wholesome, Mr. President, because it has given to the country a picture of what is presented here as to whether this Congress wants to take up agricultural credit legislation for the farmers or whether it wants to take up a ship subsidy measure for the benefit of the Shipping Trust. The issue is clear; it is well defined. Of course, there are those who are in sympathy with the idea of affording the shipping interests some relief, because, perhaps, those interests did not charge sufficient freight rates during previous years, and perhaps their profit was not great enough, so that it is necessary that immediate legislation be passed to take care of them; and that in the face of the fact that the pending ship subsidy bill was submitted to Congress some eight months ago. As I recall, the Lasker plan was given to the committee about 10 months—

Mr. SMOOT rose.

Mr. HARRISON. And, may I ask the Senator from Utah—inasmuch as he is on his feet, and he can give me the answer—in view of the fact that Mr. Lasker presented this plan 8 or

10 months ago and the bill was introduced that long ago, why so much speed is insisted upon now upon the part of the Senator from Utah and other leaders on his side to force the passage of the ship subsidy bill immediately following the election when his party was repudiated?

Mr. SMOOT. I did not rise to discuss that question, Mr. President.

Mr. HARRISON. That is the question which I should like to have answered.

Mr. SMOOT. I can answer the Senator by saying that, so far as I am concerned—and I speak for no one except myself—I am in favor of the shipping bill. I know that it can not pass unless it is kept before the Senate continuously; and I may say to the Senator that I do not know whether it can be passed even in that way; but by pursuing that course is the only way, probably, in which it can be passed. If I had the bill in charge—which I have not—I would keep it before the Senate, just as the Senator from Washington [Mr. JONES] is undertaking to do, if I could.

Mr. HARRISON. There is not any fault to be found in that respect.

Mr. SMOOT. I was going to ask the Senator, however, whether he favors the so-called Norris agricultural bill?

Mr. HARRISON. If the Senator will abide his time in patience, I am going to analyze the Norris bill and express myself fully about it, as I am on other pending agricultural measures. I am not in favor of that bill, I will say to the Senator, but I am in favor of the farmers of the country having a day in court, and I am not in favor of the Shipping Trust having a monopoly all the time of the few days that the present Congress is to remain in session.

Mr. SMOOT. There is no difference between the Senator and me on that question at all.

Mr. HARRISON. I am glad to hear the Senator say that; we have a convert.

Mr. SMOOT. But I am opposed to the Norris bill just as strongly as is the Senator from Mississippi.

Mr. JONES of Washington. Will the Senator from Mississippi permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. HARRISON. I yield.

Mr. JONES of Washington. I think I will make a statement that may bring some consolation to the Senator from Mississippi. I want to keep the shipping bill before the Senate just as much as possible. I think there is ample time at the present session to pass that measure and also rural credit legislation. The Senator and I have disagreed and do disagree as to the shipping legislation; he may be right and I may be wrong; but I am just as sincere in my view, I think, as is the Senator in his view. I think I am just as anxious also for legislation for the farmer as is the Senator from Mississippi; and I am going to say to the Senator right now that as soon as the rural credit legislation shall come before the Senate the shipping bill will be laid aside for the consideration of the rural credit measure. So the farmers will be taken care of; and, if we have the cooperation which the Senator has indicated we will have, that legislation ought to be passed in three or four days or a week; and then we will resume the consideration of the shipping bill.

Mr. HARRISON. That was exactly why I made the request for unanimous consent. Relying on the statement of the chairman of the Banking and Currency Committee that his committee would report out next Tuesday a rural credit measure, I thought if a majority of the Senate would agree to substitute that measure for the Norris bill there would be no question raised and we would all join hands. If amendments are needed, then we can provide them and make such changes as are necessary. The Senator, however, objected to my request; so we must proceed in this lopsided kind of a way.

Mr. JONES of Washington. The Senator understands, of course, why I objected. The Senator knows that I would be very glad to vote right now on the Norris motion; but there seemed to be a controversy, if I agreed to what the Senator from Mississippi suggested, whether that would stop all proceedings on the shipping bill and we would have a week wasted. I am not willing to be put in that position. I should be perfectly willing to agree to the Senator's proposition if then, as I think we have a right to do, we could go on considering the shipping bill, or any other matter that might be brought up, so far as that is concerned; but if there is going to be a long controversy over a question of procedure I thought we could save time by just going along, and if the vote upon the Norris proposition is kept off until next Tuesday or Wednesday, very well; we are no worse off then than we would be if we should make the agreement.

Mr. HARRISON. I must say that I have a little selfish interest in making the unanimous-consent request. I want to help, so far as I can, the other side of the Chamber out of a very difficult and boggy hole. Here is what some of the Senator's own party say about this proposition. Here we are discussing whether we ought to pass a ship subsidy bill or an agricultural credits bill. I asked the Senator from Utah a question while he was on his feet, but, unlike his ordinary deportment, he evaded it; he did not answer it; so I will ask the question and read from the Record an answer.

Here is what a distinguished member of the Republican Party said in a speech on the floor of the House about the ship subsidy proposition and the policy of passing it during this Congress, when the American people have repudiated practically all Senators and Representatives who even hinted that they were for a ship subsidy bill. I do not know whether or not my friend, the distinguished senior Senator from Utah [Mr. SMOOT], expressed himself in his State as to whether he was for this ship subsidy bill. If he, as a part of the leadership of this body, would come back so soon after the election and try to force through here a bill that taxes the American people anywhere from \$700,000,000 to \$875,000,000, I imagine that the Senator did not press it in his State in Utah, because he was in every hamlet and on the stump from one end of Utah to the other appealing to the people of Utah to send here a colleague to grace the other side of the Chamber.

If he made that statement to the people of Utah and took them into his confidence, then they repudiated that statement; and if he did not mention it to the people out there he was not quite frank and open with them, because he knew that the President was going to call this extra session of Congress and try to force this bill at this session through the Senate.

Mr. SMOOT. Mr. President, I never heard it mentioned in the campaign.

Mr. HARRISON. The Senator should have taken them into his confidence. He should have given them his views on this question.

Mr. SMOOT. I know the Senator thinks so.

Mr. HARRISON. Was the Senator afraid that the vote for the Democratic candidate might have been larger if he had taken them into his confidence?

Mr. SMOOT. Not at all. There is not a voter in the State of Utah who does not know where the Senator from Utah stands upon the ship subsidy bill or any other question.

Mr. HARRISON. But the Senator did not tell them on the stump that he was for it.

Mr. SMOOT. It was not a question in the campaign.

Mr. HARRISON. Does not the Senator think that if the President was going to force it through here in so short a time following the election, those Republicans as well as Democrats who ran in that election should have been candid with the people and told them how they stood on it, so that the American people might have passed on it?

Mr. SMOOT. There is no question but that the people of Utah knew where the Senator from Utah stood.

Mr. HARRISON. But the Senator said he did not take them into his confidence.

Mr. SMOOT. No; it was not a question in the campaign at all.

Mr. HARRISON. But they did not know until after the election that the Senator was for it.

Mr. SMOOT. Oh, yes, they did, Mr. President.

Mr. HARRISON. It will be hard on the Senator the next time he comes up, then.

Mr. SMOOT. I am perfectly willing to take my chances on that. I have not asked anybody to make any excuse for any position that I have ever taken in the Senate.

Mr. HARRISON. Of course, what applies to the Senator applies to other Senators; but this colloquy is not personal. It just shows that you are trying to put over something here when you failed to take the people into your confidence before the election; and it shows that this matter should wait until the new Congress comes in, and let the proposition be handled by those Senators and Representatives who are fresh from the people. That so objectionable a piece of legislation should be foisted upon them by a repudiated and defeated Congress—

Mr. STERLING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Dakota?

Mr. HARRISON. I yield to the Senator.

Mr. STERLING. I am prompted to ask the Senator a question. In what State or States, or in what congressional districts, was the ship subsidy bill an issue during the recent campaign?

Mr. HARRISON. I will say to the Senator that I am going to read here in a moment the testimony of some witnesses from the Senator's own party to show that a great many of the members of the House Merchant Marine Committee who voted to report out the bill were defeated and left at home. I will say further to the Senator that I do not know just how many States some of us spoke in. I spoke in a good many, and I never made a single speech in which I did not denounce the ship subsidy bill, and I dare say that the Senator never indorsed the ship subsidy bill in any speech that he made in that campaign. If Senators and representatives of the Senators failed to take a position on this question in the campaign, knowing that it would come up, then they deserve the condemnation of their constituents.

Mr. STERLING. That may be; but the fact that the Senator from Mississippi denounced it does not necessarily show that it was an issue in that State in that campaign.

Mr. HARRISON. Oh, Mr. President, that is the great trouble about the Republican Party. They repudiate promises; they betray the trust reposed in them, and they do not take the American people into their confidence as they should. The statement of the Senator from South Dakota and the statement of the Senator from Utah bear me out in that assertion.

Here is what a distinguished Republican Congressman said in talking about this procedure on the floor of the House:

My friends, I am a Republican—

He was proud of that, ordinarily. I imagine he was sorry at this time.

Mr. CARAWAY. Mr. President, will the Senator yield a minute?

Mr. HARRISON. I yield to the Senator from Arkansas.

Mr. CARAWAY. Was the gentleman bragging or confessing?

Mr. HARRISON. He was confessing, and very properly so. I read further from him—

and I have seen all I wish to see of a Democratic administration. I should like to see the good old ship of state steered by Republicans. But when as now my party leaders—and I believe many of them against their own best judgment—steer the ship of state in a wrong course, when my heart and convictions and conscience rebel against some such legislative measure, as this subsidy bill before us now, then, as frequently in the past, I can not go with them. I must resort for a time to a lifeboat or a plank. Self-preservation is the first law of life. You watch Republicans jump for the planks. You watch the Republican whip jump.

He was not talking about the Republican whip here. He was speaking of the Republican whip of the House.

Further, he says:

You watch the chairman of the conference jump. You watch many a Republican save himself before we get through with this bill.

That was pretty good advice.

I have had to go through this experience very often. I happen to be one of the older Members of this House. I remember when these subsidy bills were up before, when Hanna and Gallinger had started them, and when "Uncle Joe," in his prime and vigor, backed by leaders like Payne and Dalzell, together with my distinguished friend from Massachusetts [Mr. GREENE], were pushing this subsidy privilege.

And he said they defeated it by a vote of 172 to 175. Then he said:

Let me say to my good Republican associates here—

And he was talking about you, just the same as his Republican associates over in the House—

Let me say to my good Republican associates here who would vote right, the rank and file of the Republicans are out on the farms and in the factories. They are not these leaders nor these ship-owners.

Listen to this wise sage:

If we are going to hold our party, we have got to go to the masses and not look to the ship profiteers. Every man knows it. If you will look out and see the angry waves of discontent, you know that I am speaking the truth.

That speech was made by a Republican, and I am glad we are getting some more Senators in here so that they can hear it. I wish every Republican seat were now occupied, because I want to save you from your own iniquities.

Have you read the election returns?

You know that is an interesting question that he propounded to you.

Did you see the men elected who ran on antiship subsidy platforms? I ran on one. It was a platform denouncing this bill, and I won overwhelmingly. Those who did favor it went down to defeat. Have you noticed the fatalities? Thirty-five per cent of the vacancies on the Republican side of this Merchant Marine Committee!

Thirty-five per cent went down in that catastrophe.

They prepared this bill; I presume they told their constituents all about their arduous labors for a subsidized merchant marine. Five out of fourteen defeated.

I have not looked over the figures to see how many of the Commerce Committee of the Senate went down in defeat. I know that a pretty large percentage of the Republican members of the Finance Committee were defeated because they reported out and advocated the tariff bill and the revenue measure.

That is not all. That is one distinguished Republican that I read from. Here is another:

Let me say before I go further that I believe that Pennsylvania, the old Keystone State, would have failed to return my good friend—

Talking about Mr. EDMONDS—
of whom I think so much, if this proposal had occurred before election—

This is a Republican speaking—

because we lost New York, we lost Maryland, we lost New Jersey, we lost so many States of the country, just due to bills of this character, and this is worse than anything I have ever seen in all my experience here as a Member.

He could have gone further. He could have said, "We lost Delaware"; he could have said, "We lost Rhode Island"; he could have said, "We lost Senator Moses's State of New Hampshire"; he could have said, "We lost Ohio; we lost Michigan"; he could have said, "We lost Indiana"; he could have said, "We lost Kansas, the Republican whip's State"; he could have said, "We lost Colorado"; he could have said, "We lost the leader of the Republican Party in the House of Representatives, FRANK MONDELL"; and the people of Wyoming reelected that splendid Senator, the former governor of that State, to the Senate. He could have said, "We lost Montana; we lost Nebraska; we lost Oregon; we lost Washington; we lost Nevada; we lost Arizona; we lost New Mexico; we lost Oklahoma." Oh, well, they lost about everything in that election; and yet, because of that fact, the President comes here and tells the Republican leadership to drive through this infamous measure that will add to the burdens of the American taxpayer before the new Congress can come into control.

I do not blame you for looking sad. I do not blame you because your morale is broken. I do not blame you for your lines being divided. It is a sad picture you present to us who are your friends, and God knows how you look to the American people.

Mr. CARAWAY. May I interrupt the Senator?

Mr. HARRISON. Certainly.

Mr. CARAWAY. The Senator from Mississippi said he did not know what the effect had been on the Committee on Commerce of the Senate. There were only two Senators on the Republican side of the Commerce Committee who were up for reelection, and neither of them will be with us in the next Congress.

Mr. HARRISON. See there! Yet you persist in driving this legislative monstrosity through the Senate, neglecting the farmers of the country, and there was talk yesterday about filing a motion to table the Norris motion to proceed with the consideration of a bill for agricultural relief. You want to go so far even as to shut off discussion of the matter, strangle debate, close our mouths.

But I have not finished reading all that this distinguished Republican Congressman said. I want to proceed further. He said:

I realize that you are putting these hundreds of millions of dollars into the pockets of a few favored monopolies and that you could not go before the country for a moment with your proposition, and you dare not let it go for three months until the new Congress meets.

That is what is in the heart of some Republican. Yet you are trying to drive through this Congress this bill in a kind of stranglehold fashion. Said this Republican:

You know it and so do I, and I do not believe it will stand the ghost of a chance of getting through the Senate.

I hope he is right.

But I do not want my good friends here, on the Republican side, whom I have tried to persuade to stay in the straight and narrow path in the past—I do not want them to fall down at this time, because I want them, all of them, to be here two years from now.

They will not be there if they vote for such propositions as this. He said further:

Why was the bill not brought up before election?

I put the same question to my friend the Senator from Utah while he was on his feet and he has not answered me yet, and to show that it is a fair question a Republican Congressman puts the same question to him and puts it to other Republican Senators. He said:

It is an indictment of the whole proposition to try to jam it through this expiring Congress when a certainty exists it would be overwhelmingly defeated if presented four months hence to the new Congress coming fresh from the people.

There is the indictment. A few years ago, when the Senate considered for quite a while—and certainly most carefully—the Jones bill, we thought that would surely result in the main-

tenance of our merchant marine. At that time we believed that the distinguished Senator from Washington, now in charge of this bill, had evolved a plan and constructed a bill which would make the merchant marine a success in the future. That is why we supported the Jones bill; and at that time, sitting in the Chamber, was a very distinguished Republican. Those were his views. He sealed the fact by a vote for the bill, and that distinguished Republican is now none other than the President of the United States, who admits, by coming to the Congress and pressing forward this legislation, that he was not so wise, that he was mistaken, when, two years or more ago, he championed the Jones bill and voted for it and helped to enact it into law.

What changes have come about that should change the situation? One is that we have Lasker as the head of the Shipping Board, the wise man of shipping, who knows everything about advertising but before he took charge of this board knew nothing about shipping.

I notice he has taken my good friend from Kansas [Mr. CAPPER] to task because the junior Senator from Kansas saw fit to write some editorials in his papers out in the Middle West against the ship subsidy bill and told the truth about it, namely, that it would allow the Shipping Board to lend to these men and these interests, be they the Standard Oil, the United Fruit Co., or the Steel Corporation, money to buy these ships at low interest rates. He said it would enable the board to lend to them \$125,000,000 at 2 per cent interest. Simply because the Senator from Kansas said that this would cost the Government approximately \$750,000,000 for the next 10 years Lasker has a nightmare, goes into the press, and gives out a statement criticizing the Senator from Kansas, saying, "Oh, the information he got is from Democratic sources and therefore it can not be correct."

Lasker himself said in the testimony that it would cost the Government \$52,000,000 a year in subsidies to operate this proposition. He admits and the Senator from Washington admits that it will enable the board to lend \$125,000,000 at a low rate of interest to the men who purchase the ships, and in his testimony before the committee Lasker stated that the merchant marine was worthless, that you could not get anything for it, that although it cost three billion dollars or more they would hardly be able to get \$200,000,000 for it. Yet he takes the Senator from Kansas to task. The Senator from Kansas is performing a great service to the American people in exposing the iniquities of this bill; and I dare say that, big and powerful and influential as Lasker is, he can not browbeat the distinguished Senator from Kansas and cause him to close his mouth or cease his writing in condemnation of this nefarious measure.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Tennessee?

Mr. HARRISON. I yield.

Mr. McKELLAR. In that connection I call attention to the fact that this bill sets apart 10 per cent of all the customs duties, which, according to the statements made by those in charge of the recently passed tariff bill, will amount to \$45,000,000 a year, and, in addition, the tonnage dues, amounting to \$4,000,000 a year, making \$49,000,000 which they actually set apart to pay these subsidies.

Mr. JONES of Washington. Mr. President, will the Senator from Mississippi permit?

Mr. HARRISON. I yield.

Mr. JONES of Washington. The Senator will have to concede that the Commerce Committee has recommended an amendment to this bill limiting the amount which can be spent in any year as compensation for these ships to \$30,000,000. It is plain language. Senators may argue as they see fit, but that is what the committee recommends.

Mr. McKELLAR. That is not what the House passed, and, of course, it can be stricken out very easily in conference. What you do is to set apart \$49,000,000 of the people's money to pay this subsidy.

Mr. HARRISON. Of course, the Senator from Washington recognizes the fact that I was merely answering Lasker's statement in condemning my friend, the Senator from Kansas [Mr. CAPPER]. When some Republican goes out to condemn another Republican, it looks as if no Republican dares open his mouth in defense of the other Republican. So I have found that about half of my time on the floor is spent in defending Republicans.

Mr. CARAWAY. Mr. President, the Senator from Washington certainly does not mean to say that \$30,000,000 is all that might be expended under this bill. That amendment has been offered merely to provide some people a life line to climb down

on. There is no amendment providing that a contract shall be declared void if the expense runs to \$50,000,000, if they simply thought it would not be more than \$30,000,000.

Mr. HARRISON. I do not want to be mistaken about this measure, and I do not want to take up the time of the Senate unnecessarily. I do not want the Senator from Washington to think, when I propound a question to him, that I am just trying to consume time.

Mr. JONES of Washington. That never entered my mind.

Mr. HARRISON. I am trying to get information. I say that because I am going to ask the Senator some questions now. As I understand it, the Standard Oil Co., with its tankers, or any ships they may own, will come under the provisions of this bill, just the same as any person who might buy ships from the Shipping Board or might operate ships.

Mr. JONES of Washington. The companies operating ships for the carrying of their own products get no subsidy, according to the bill as it passed the House.

Mr. HARRISON. I want the Senator to explain to me one thing, briefly, if he will. The original bill, the one presented by Lasker, which the President asked the Congress to pass, and which was submitted to the House of Representatives, did it not include the provision for pay to the Standard Oil Co. if it had tankers?

Mr. JONES of Washington. It did.

Mr. HARRISON. Or the United States Steel Corporation if it operated ships?

Mr. JONES of Washington. It did.

Mr. HARRISON. Or the United Fruit Co. if it operated ships?

Mr. JONES of Washington. It did.

Mr. HARRISON. They would not only get the advantages of the indirect subsidy, but would get the direct subsidy, would they not?

Mr. JONES of Washington. They were put on the basis of any person owning ships.

Mr. HARRISON. If the Standard Oil Co. was bringing some oil from Mexico to New York in its own tankers, the ships loaded exclusively with its own products, under the original draft of the bill what benefit would they receive? In other words, I would like to have the Senator illustrate the difference between the original bill and the bill as it is before the Senate, so far as the Standard Oil Co. in bringing its own products in its own tankers from Mexico to New York is concerned.

Mr. JONES of Washington. I do not seek to conceal anything with reference to this.

Mr. HARRISON. The Senator never does conceal facts with reference to a measure of which he is in charge.

Mr. JONES of Washington. It is just as the Senator has suggested; under the original bill, as it was first introduced, Standard Oil ships, or United Fruit Co. ships, in fact, all ships under the American flag, would be on the same basis. The House excluded from the benefits of the subsidy features of the bill ships carrying products of the owners of those ships.

Mr. HARRISON. What position was taken by the committee of which the Senator is chairman?

Mr. JONES of Washington. We did not interfere with that provision of the House.

Mr. HARRISON. The committee did not accept Lasker's proposal, in other words, to that extent?

Mr. JONES of Washington. No; we did not. We went further, and in that part of the bill authorizing a loan fund of \$125,000,000 we inserted an amendment providing that none of that money should be loaned to companies for the construction of ships to carry their own products.

Mr. HARRISON. Did the committee raise the rate of interest, or was it raised in the House, from 2 per cent to 4½ or 4 per cent?

Mr. JONES of Washington. That was raised in the House.

Mr. HARRISON. The original draft carried only 2 per cent?

Mr. JONES of Washington. It provided not less than 2 per cent.

Mr. HARRISON. I thank the Senator. I did not know why the chairman of the Shipping Board, an expert in advertising, wanted to give all those favors to the Standard Oil Co., the United Fruit Co., or the Steel Corporation. This may sound hard to some of you, but we are trying to let everything out and keep no secret. Far be it from me to suggest that Mr. Lasker's recommendation was because in the recent campaign Mr. Rockefeller—a poor fellow, of course, who needs the sympathy of everybody—in the last report filed by the chairman of the Republican National Campaign Committee was shown to be one of the largest contributors to the Republican Party, hav-

ing given \$25,000. His son, John D., jr., was quite lavish in his donation. I think he gave \$25,000. Of course that was the amount the chairman stated that these gentlemen had given. He did not say how much more they had given that was not shown in the report. Consequently we must accept the statement that only \$50,000 was given by father and son Rockefeller to the Republican campaign fund in the last election. And here Mr. Lasker, head of the Shipping Board, writes a bill, in frequent conference with the President, which receives the indorsement of the President, which is sought to be passed through the Congress under whip and spur of Executive influence, that gives to the Standard Oil Co. greater privileges than would be enjoyed by any other person and few other corporations under the provisions of the bill.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. HARRISON. Certainly.

Mr. CARAWAY. Inasmuch as the bill as it was then written and reported out in the House contained this benefit to them, does not the Senator think the Republican Party ought to pay back their campaign contributions if they are going to amend the bill and cut out those benefits?

Mr. HARRISON. Yes; they should be fair with them, because the Rockefellers, John D., jr., and John D., sr., had every reason to believe when they made the donation of \$50,000 that they were going to be taken care of.

Mr. CALDER. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from New York?

Mr. HARRISON. Certainly.

Mr. CALDER. I wish simply to correct the Senator in regard to the elder Rockefeller. In testimony submitted to the Committee on Manufactures recently, it was called to my attention this morning that it had been stated that the elder Rockefeller is not now a stockholder in the Standard Oil Co. So that he ought not to get his money back.

Mr. HARRISON. Does the Senator believe that?

Mr. CALDER. The statement was made by the president of the company, and he is a truthful man. He said that the younger Rockefeller was a large stockholder and the elder Rockefeller was not a stockholder, and I believe that the gentleman who made the statement told the truth.

Mr. HARRISON. Does the Senator believe that John D., sr., has no interest in the Standard Oil Co.?

Mr. CALDER. I repeat merely what the president of the company said.

Mr. HARRISON. I do not mean financial interest alone. I mean sympathy for the poor little thing.

Mr. CALDER. I repeat that the gentleman testified that young Rockefeller was a large stockholder, but his father had no interest in the company. I believe that is true, because the man who stated it is a truthful man.

Mr. HARRISON. But the Senator does not believe that it is fair, after John D., jr.—I will leave out John D., sr.—the man who owns the largest interest in the Standard Oil Co., gave this \$25,000, and the House had passed this liberal provision that would treat him fairly, indeed, that now the Senate, through the Senator from New York and his friends, should go back on any promise made?

Mr. CALDER. The Senator again is misstating the fact; unwittingly, I am sure.

Mr. HARRISON. Oh, certainly.

Mr. CALDER. The House did not pass the bill with a provision in it to take care of the Standard Oil Co.

Mr. HARRISON. The House committee reported it out containing that provision.

Mr. CALDER. The House refused to keep that provision in the bill.

Mr. HARRISON. I know the Senator does not want to be technical.

Mr. CALDER. But the point I want to make is—

Mr. HARRISON. The Senator has not answered my question.

Mr. CALDER. The point I make is that Mr. Rockefeller, sr., at least, is not entitled to have his money back if, as the Senator intimates, he may have contributed, because the Standard Oil Co. was being taken care of in the shipping bill.

Mr. HARRISON. I have eliminated John D., sr.; I am talking about John D., jr., now.

Mr. CALDER. I am quite sure that John D. Rockefeller, jr., who is a great philanthropist and is also a good Republican, contributed his part of the fund with no expectation of any help or assistance from anybody. He is too high type of man for that, and the Senator ought to know it.

Mr. HARRISON. He is a constituent of the Senator?

Mr. CALDER. Yes; he lives in my State, and is a very distinguished citizen, a splendid man, a very high-minded Christian gentleman, and when he contributes to the funds of the Republican Party he contributes like he does to many other good purposes, for the good of the country.

Mr. HARRISON. The Senator does not think that favoritism by legislation should be shown to John D. Rockefeller, jr., does he?

Mr. CALDER. Of course not.

Mr. HARRISON. Merely because he has these exceptional qualities?

Mr. CALDER. Of course not.

Mr. HARRISON. The Senator was not in sympathy with what the House committee did when it reported out the bill containing that special provision?

Mr. CALDER. Of course not. I am entirely in sympathy with that provision of the bill which eliminates from any benefits all companies which carry their own goods exclusively.

Mr. HARRISON. The Senator, then, was not in sympathy with Lasker's suggestion that it should be done?

Mr. CALDER. I do not know who made the suggestion or if he prepared the bill. I am not in sympathy with that particular provision.

Mr. HARRISON. If the President indorsed it, the Senator is then out of sympathy with the President on that proposition?

Mr. CALDER. I doubt very much if the President knew it would affect that particular interest. I am sure that he did not know it.

Mr. McKELLAR. Surely he read the bill before he recommended it to the Congress.

Mr. HARRISON. The best excuse the Senator can offer is ignorance on the subject, and we will all accept that excuse.

Mr. CALDER. Oh, no; I do not offer that reason at all.

Mr. HARRISON. Did the gentleman who appeared before the committee this morning say when John D., sr., got out of the Standard Oil Co?

Mr. CALDER. I was not present at the committee meeting. I was informed by a Senator who was present, and a newspaper carried the story. His testimony was given about a week ago.

Mr. HARRISON. But he did not say when John D., sr., got out?

Mr. CALDER. I did not see that statement made.

Mr. HARRISON. He may have gotten out after he learned that the Committee on Commerce had repudiated what the House Committee on Merchant Marine and Fisheries had endeavored to do for him—in other words, had taken away from him the favoring provisions that had been granted to him or his company in the original draft and by the action of the House committee?

Mr. CALDER. My recollection is that the statement was made that he had had no interest in the company for the past two years.

Mr. KING. Mr. President, will the Senator from Mississippi yield to me?

Mr. HARRISON. Certainly.

Mr. KING. May I inquire of the Senator from New York, with the permission of the Senator having the floor, if he means to state that John D. Rockefeller, sr., has no interest either in the Standard Oil Co. or any of its multitude of subsidiary organizations?

Mr. CALDER. I simply repeated the statement made by the president of the Standard Oil Co. before the Committee on Manufactures. In that statement it was set forth that for the past two years—I think I am correct in the time—the elder Rockefeller had had no financial interest in the Standard Oil Co. of New Jersey.

Mr. KING. The Senator knows that the Standard Oil Co. of New Jersey, the parent organization, has a multitude of subsidiary organizations, and that the parent organization now is of less consequence than many of the children which have sprung from it.

Mr. CALDER. My information is that the Standard Oil Co. of New Jersey is by far the most important, the most wealthy, and the most influential of them all.

Mr. KING. The Senator knows that the Standard Oil Co. of New Jersey, the parent company, owns the Standard Oil Co. of Indiana and a multitude of other companies, pipe-line companies, prospecting companies, and other organizations engaged in the development of the oil industry. Does the Senator mean to state that John D. Rockefeller, sr., is not interested in any of those great organizations?

Mr. CALDER. Of course, I have no knowledge of that. I have no knowledge of the ramifications of Mr. Rockefeller's interests. I simply repeated the statement made by the president of the company before the Senate Committee on Manufactures.

Mr. KING. I think the Senator will discover that Mr. Rockefeller's holdings in oil companies—I do not care by what name they may be labeled—exceed \$350,000,000, according to the par value of the stock.

Mr. HARRISON. As I understand the Senator from New York, he had some friend who appeared before the committee who said that John D., sr., had no interest in the Standard Oil Co. of New Jersey.

Mr. CALDER. The Senator from Mississippi is putting words in my mouth. I did not say I had a friend who appeared before the committee. I said that the president of the Standard Oil Co. of New Jersey had appeared before the committee and made the statement.

Mr. HARRISON. He made the statement that John D., sr., had no interest in the Standard Oil Co. of New Jersey?

Mr. CALDER. Yes; but that his son, John D., jr., was a large stockholder.

Mr. HARRISON. And, of course, we assume and the Senator, I imagine, assumes that John D. Rockefeller, sr., still has a holding in the Standard Oil Co. of Indiana, the Standard Oil Co. of Ohio, and the many other subsidiary companies?

Mr. CALDER. I assume nothing of the sort. I know nothing about it.

Mr. HARRISON. The Senator does not know? The only assurance he has is that some person has stated before a committee that John D., sr., has no interest now in the Standard Oil Co. of New Jersey.

Mr. CALDER. No. I do not know anything about it.

Mr. HARRISON. The Standard Oil Co. of Ohio or of Indiana or of some other State may have tankers and operate tankers in the trade. The Standard Oil Co. of New Jersey is not the only Standard Oil Co. that owns and operates tankers carrying their product to and fro over the seas, is it?

Mr. CALDER. I am not sure of that, of course, but I am under the impression, from information I have obtained from time to time, that the Standard Oil Co. of New Jersey are by far the largest owners of oil tankers. I have not exact information, but that is the information that comes to me in a general way. There may be other oil companies that own tankers.

Mr. HARRISON. Of course, what I thought when the Senator first rose was that he had some information that John D., sr., did not give the \$25,000 contribution which the Republican chairman reported in his statement; but the Senator, of course, I imagine, will agree that the chairman of the Republican committee would tell the truth about it, or about anything, and that that was all right.

Mr. CARAWAY. Mr. President, may I interrupt the Senator?

Mr. HARRISON. Certainly.

Mr. CARAWAY. If I understood the Senator from New York correctly, he said that the Standard Oil Co. of New Jersey had been operating most of the tankers. I presume that was suggested to him because they recently declared a 400 per cent stock dividend, and that might also suggest to him that they were the owners of the ships.

Mr. HARRISON. Mr. President, coming back to the proposition that the ship subsidy bill should await the new Congress recently elected by the people, I want to read what the Republican campaign textbook, in the Republican platform, said with respect to the merchant marine. At no place in it does it hint or suggest subsidy. On the contrary it indorses the Jones Act which was passed here by a Republican Congress to maintain the merchant marine and to which the President of the United States gave his earnest support and for which he voted and which carried no subsidy. Here is what the platform said:

We indorse the sound legislation recently enacted by the Republican Congress that will insure the promotion and maintenance of the American merchant marine.

There is an indorsement of the Jones Act. The American people in that election had a right to rely on the fact that you were through with legislation affecting the merchant marine, and they had no thought that you would come here and want to place additional taxes on the American people to the extent of \$875,000,000 to give to the Shipping Trust. Yet that is what is sought in the pending bill.

Mr. President, getting back to the motion of the Senator from Nebraska to take up the agricultural credits legislation and sidetrack, so to speak, the ship subsidy bill, presenting an issue to this body whether the Shipping Trust needs our help more and to a greater extent than the farmers of the country, I want to refresh the memories of Senators that a year and a half or more ago this body and the House of Representatives passed a joint resolution providing for an agricultural inquiry and a commission was appointed to look into agricultural conditions, in an endeavor to solve the problem, and to make their recommendations touching legislation and otherwise, that might

promote the interests of the agricultural classes. That commission worked faithfully for months. It made many suggestions. It made, in my opinion, many wise recommendations.

Up until this good hour, although those recommendations were made six or eight months ago, this Congress has dillydallied with the tariff and dillydallied with revenue legislation and talked about the ship subsidy and the antilynching bill and the Liberian loan until we have wasted the time, and we have passed none of the legislation that might have benefited the farmers of the country. And yet when the proposal is made and the sentiment of the country is crystallized for agricultural credits legislation we have it thrown at us that there is a filibuster on. Filibuster! Why? Because we are trying to point out to you that the next Congress is the Congress to take up and solve the ship subsidy question, and that this Congress is the one to take up agricultural credits legislation and enact it speedily, so that if relief is to come to the farmers of the country it may be given to them at the earliest possible moment.

Mr. President, in the summary of the recommendations of the Joint Commission of Agricultural Inquiry we find the following:

(1) That the Federal Government affirmatively legalize the cooperative combination of farmers for the purpose of marketing, grading, sorting, processing, or distributing their products.

(3) That there should be a warehousing system which will provide a uniform liability on the part of the warehousemen and in which the moral and financial hazards are fully insured.

(4) The commission believes that an immediate reduction of freight rates on farm products is absolutely necessary to a renewal of normal agricultural operations and prosperity, and recommends prompt action by the railroads and constituted public authority to that end.

Is there anything that is burdening the farmers of the Middle West and the far western sections more than the high freight rates which are charged by railroads? Is it not a question of such moment and importance that this Congress should turn its attention to it and let the ship subsidy bill, which will cost the American people so much, slide away until the next Congress begins its session? Which does the American people believe more important—subsidy legislation or a reduction of freight rates by the railroads, especially on agricultural products? Which legislation would be more welcome to the farmers of the West and South? To ask the question is to answer it; and yet this Congress, under its wise leadership, allows itself to waste precious moments in talking about subsidizing the Shipping Trust and permits the farmers of the great Middle West, of the South, and every other part of the country to continue to pay high and unreasonable freight rates in order that they may ship their products from the farm to the consumer.

The commission made other recommendations. It recommended furthermore—

(5) That there should be an extension of the statistical divisions of the Department of Agriculture, particularly along the line of procurement of live-stock statistics.

I hope that the Agricultural Department is working toward that end; but I do not know.

(6) That provision should be made by Congress for agricultural attaches in the principal foreign countries producing and consuming agricultural products.

We passed a bill the other day carrying an appropriation of over \$100,000 for consular agents and commercial attaches in foreign countries to study trade conditions, to study commerce, and to report back to the Department of Commerce. We have recommended that agricultural attaches should be appointed in those countries in order that they might study agricultural conditions there and report them back and let the farmers learn by first-hand information the condition of crops and of markets throughout those countries and throughout the world.

The commission also recommends—

(7) The development by trade associations and by State and Federal sanction of more accurate, uniform, and practical grades of agricultural products and standards of containers for the same.

Nothing has been done along that line.

(8) That adequate Federal appropriations should be made for the promotion of better book and record keeping of the cost of production of farm products on the basis of the farm-plant unit as a basis for the development of more efficient methods of farm management.

It is to be hoped that in the consideration of the Agricultural appropriation bill at this session some of these recommendations, at least, will be taken up and acted upon, and that some law may be enacted to carry out the recommendations of this commission.

(10) More adequate wholesale terminal facilities, particularly for handling perishables at primary markets, and a more thorough organization of the agencies and facilities of distribution of the large consuming centers of the country.

(11) The development of better roads to local markets, joint facilities at terminals connecting rail, water, and motor transport systems, and more adequate facilities at shipping points, with a view to reducing the cost of marketing and distribution.

(12) That greater effort be directed to the improvement of community life.

Here is a recommendation which is more important than all the others; one that cries out from every farm home throughout the country; one to which no Senator can turn a deaf ear. It is:

(2) That the farmer's requirements for credit corresponding to his turnover and having maturity of from six months to three years, which will enable payment to be made from the proceeds of the farm, be met by an adaptation of the present banking system of the country which will enable it to furnish credit of this character. It is expected that a concrete proposal to carry out this recommendation will be made in part 2 of this report.

That was one of the recommendations which the commission, after weeks and months of earnest work and endeavor, unanimously agreed upon; that the agricultural credit system as to-day constituted does not meet the demands nor the needs of the farmers of the country. So we drafted a bill to cover the matter. That bill did not meet my ideas in every particular; I suppose it met the ideas of no member of the commission in every particular; but we agreed to it because it was the best plan upon which all parties to the commission could agree. I am for that bill, with amendments, until a better plan can be suggested by some one else. But after the commission, following weeks of labor, recommended this important legislation for the farmers, who are to-day more distressed than ever before in their history, we are confronted by a situation which is most glaringly and correctly illustrated by one statement made by the expert of the commission. He was a splendid expert; I dare say that if we had combed the whole country we could not have procured one more faithful to the trust imposed than Doctor King. He found and the commission found, according to all the statistics they gathered, that—

Measured in terms of purchasing power, the farmer's dollar in 1920 was worth only 89 cents.

We might consider the purchasing power at that time of the banker's dollar, the purchasing power of the dollar of the owners of the great steamship lines of the country, the purchasing power of the United Fruit Co., of the United States Steel Corporation, of the Standard Oil Co., of commercial houses, mercantile establishments, and manufacturing plants, and find that the purchasing power of their dollar at that time was much greater than that of the farmer; in fact, was so much greater that it could hardly be compared to the purchasing power of 89 cents on the dollar, as shown for the farmer in that year.

In May, 1921, the purchasing power of the farmer's dollar—which amounted to 89 cents in 1920—had depreciated until it was only 77 cents; and during the months since then the purchasing power of the farmer's dollar has gone still lower, as my good friend the junior Senator from Iowa [Mr. BROOKHART] will attest, because at the time when the purchasing power of the farmer's dollar was but 77 cents his corn was selling at a higher price than that for which it sold a few months ago or for which it sells to-day. The same statement applies to wheat and other commodities which he raises. Why, sirs, the average income received by a farmer for his labor in 1909 was only \$311. In 1918 it was \$1,278, and in 1920 it was only \$219, and to-day in many sections it is less. The average income of a person in every other business or trade is greatly in excess of the farmer. In many sections of the country distress, discontent, and unhappiness are staring the American farmer in the face; privation and starvation hover over many an humble American farm home. The farmer is suffering because of high railroad rates, lack of marketing facilities, and an inadequate and ancient credit system which does not respond to his needs; yet we sit here as representatives of the American people and try to press through Congress a ship subsidy bill that will add to their burdens instead of relieving them in the slightest degree.

Although, Mr. President, I realize these facts, yet when I suggest that a time be fixed to vote on a motion to give to the farmer a day, so to speak, in court, a day when his case may be presented, a day when his case may be called on the calendar, a day when we may get away for a short time from the consideration of a ship subsidy measure and consider the wants and needs of the American farmer, I have hurled at me the insinuation that I am in part helping in a filibuster. Ah, my friends, this question presents the issue of whether the shipping interests in this country can utilize and monopolize the time of the Senate or whether we will be fair in a small degree at least to the agricultural interests of the country and say to them, "We are going to give you a few days so that we may consider some legislation for your benefit."

I am going to vote for the motion submitted by the distinguished Senator from Nebraska [Mr. Norris]. I shall not vote for that motion because I favor the Norris bill; I am not in favor of the Norris bill; but I am in favor of the farmers having a day here in order that Senators may agree upon an agricultural credit bill and upon other legislation for his benefit and relief, and the best way is by adopting this motion. I know that if we procrastinate, as we sometimes do on this side and as the Republican majority always does on their side, we will never get anywhere to relieve the distressed conditions of agriculture as they are presented to us to-day.

I said I was not for the Norris bill. I have shown my opposition to it already. I happen to be a member of the Agricultural Committee, and I was one Senator in that committee—and I am not divulging any secrets when I say it—who made two motions and called for a record vote trying to eliminate the two objectionable features of the bill as I saw them. I am not for my Government going into the junk-shop business—no! I am not for my Government purchasing and operating and holding elevators and warehouses—no! I filed a motion, and on the roll call I voted to eliminate that provision from the bill, and I am not for the other provision. I am not for section 2 of the Norris bill, which seeks to buy agricultural products from any person. I do not want to see my Government go into the mercantile business. I do not want to see it go out and as among and between farmers compete in the purchase of their products. I am against the Government selling such products to any person within the United States or to any person or to any government or subdivision of government without the United States. To me those provisions are not only socialistic but they are bolshevistic, and I shall vote against them in the consideration of this bill; and if they are not eliminated, and the vote comes on the passage of the bill, I shall vote against the bill. But I voted to report it out, reserving the right to offer amendments and vote as I saw fit on the floor of the Senate. I did it because I knew it was the only way for us to agree on a measure as a substitute that would guarantee some relief.

I know, however, what is going to happen, and you know what is going to happen. We can not fool ourselves. Unless the adherents of ship subsidy legislation continue to occupy the time of the Senate to the exclusion of the consideration of an agricultural credits bill, we will take up the Norris bill for consideration. It will be discussed. Every line of it, every suggestion in it, will receive arguments for it and against it, and in the end we will agree upon a substitute for the Norris bill that will meet the needs, at least in part, of the agricultural interests of the country in the form of an agricultural credits bill.

I hope that when we shall have begun the consideration of the bill we can agree upon the bill that was recommended by the Joint Commission on Agricultural Inquiry, that was known as the Lenroot bill and that is known in the House as the Anderson bill, and which received the indorsement—of course, with reservations to improve it—of the Commission on Agricultural Inquiry. I want to see that bill substituted, with some amendments to it. I want to see the amount of \$1,000,000 that is to be appropriated to each of the 12 Federal land banks increased in amount to \$10,000,000 for each one, making possible a capitalization of \$120,000,000, with power vested in the bank to issue bonds and obligate itself to the amount of \$1,200,000,000.

Is that giving the farmers a little mess of pottage? Is that a piece of popgun legislation, when you present an opportunity to the farmers of the country to borrow \$1,200,000,000, provided they can meet the terms of the bill? They are modern. They are well drawn. It will render great benefit to the agricultural class, who need the credit; and I want to see that bill amended further so that it will compel the Federal Farm Loan Bureau, which is to control this credit, to establish in every agricultural or live-stock State where it has no offices now a branch office or an agency. I want to carry the plan to the farmers, and I want to see it amended—although I know without hope of success—so that the institution need not go through the banks to loan the money to the farmers or go directly to the associations. I would have it read that this concern can loan the money directly to the farmer if he can produce the security, freeing him from the interest charges imposed by the banks or the necessity of organization in an association in order to obtain the credit.

That proposition has been tried out in this body on an amendment that I offered a year ago, I believe, when we were considering the amendment to the War Finance Corporation bill. It has been tried out in the committees. I know that I am but a part of a small minority on that proposition, and so I am will-

ing to take the very next best thing, which, I think, is incorporated in what is known as the Lenroot-Anderson bill. We can get together on that proposition, and I hope that the Banking and Currency Committee of this body will not take up too much time, although the matter should be carefully considered; that they will eventually report out that bill, with such amendments as they think are wise, so that we can all get together on it or some other proposition that may be better and sounder, offer it as a substitute for the Norris bill, and pass it, so that we can at least say to the farmers, "We have redeemed in part the pledges and promises we made to you."

I would not stop there. That is not all. If I should write the policy of agricultural credit legislation at this time, I would incorporate in it a provision such as is embodied in the Norris bill, such as is embodied in the Norbeck bill, such as has been suggested in other pieces of legislation here, that the life of the War Finance Corporation shall be extended another year or more, or that some corporation shall be created as its successor, and it can loan money to interests in other countries to buy our surplus agricultural products here, provided the money is spent in this country and provided those interests put up adequate security before they borrow. That is what will help in this country.

When I look at you I remember how you have isolated America, how you have destroyed to our farmers as well as manufacturers the markets of foreign countries, how you have dammed up the stream of commerce so that agricultural products, of which we had a surplus in prior years and of which we have a surplus now, can not flow, and consequently a surplus hoarded here drives down the price of the farmers' products. If it had not been for that policy, if you had shown a little more wisdom, if you had not halted in your steps so much, if you had not been fearful of certain men in the Republican Party who would cry out, "Foreign entanglements!" we would have gone over there to try to help—yes; to try to help Germany in the reparations imposed upon her, to help Poland, to help other countries, through our counsel and our advice and our influence, to be rehabilitated; to help their industries start up anew and to restore prosperity to those countries, because when we do that we open up markets for our agricultural products and insure to America prosperity not only on farm, in factory, but to all our people.

Then, too, you have added to the farmer's burden by trying to build a tariff wall around this country, so that we can not trade with other countries, thinking we could just live here among ourselves and eat up or use our own products, destroy our exports, and diminish our balance of trade; and it is all felt in reduced prices to the American farmer.

Why, I saw my friend from North Dakota [Mr. McCumber] and my friend from Indiana [Mr. Watson] exhibit on the floor of this body a little doll, made, no doubt, by some little German girl. It took her, perhaps, days and even months to make that little toy. She thought, perhaps, that by her efforts she could gladden some little heart in America at Christmastide. She thought, perhaps, she could sell it for enough to buy her a little Christmas present, or a little Christmas toy; yet I heard the Senator from North Dakota and the Senator from Indiana say that a tariff wall should be constructed so high as to prevent that little German girl from making and selling here that little, simple toy to gladden the heart of a little American girl!

That is your policy; that is your record in this body and in the other body. I appeal to you, let us join hands and vote for the motion to take up the Norris bill, not especially because we are for the Norris bill but because it presents a foundation on which we can construct some agricultural credits legislation that will give immediate relief, if necessary, to the great farming classes of the country.

Oh, you need not worry; you will not lose the support of the great Shipping Trust of the country. You will not lose the support and the future campaign contributions of Rockefeller, even though John D. sr., has gone out of business in New Jersey. You will not lose the support of the United States Steel Corporation and the United Fruit Co. Let them wait a little while. Let the farmers have a day in court. Let us deal fairly with them. Let us meet the conditions as they arise. Let us stop making this charge of filibustering. Let us discuss these matters in an open way, and try to arrive at a quick conclusion.

When I cast my vote for this motion I am not fearful of the finger of scorn being pointed at me on the ground that I am for the socialistic doctrine of the Government buying and operating elevators and warehouses and buying and selling agricultural products. I am merely voting for it to open up the opportunity so that we can get together here and frame legislation to take care of this agricultural situation.

I want to see on this program, also, the Federal reserve law amended so that agricultural paper can be discounted for a longer time than is given to it under the present law. I want to see it extended to nine months, so that the paper which can be discounted can carry some benefit to the farmers of the country.

Mr. President, I have said about all I desire to say. I hope we can speed along. I hope that we can pass the appropriation bills and that we can all get together.

Mr. CALDER. The Senator from Mississippi has very kindly yielded to me that I may give notice that to-morrow, at the convening of the Senate, I shall address the Senate on the shipping bill.

Mr. CURTIS. I do not like to interrupt the Senator from Mississippi, but I desire to have action on two amendments of the House to amendments of the Senate to the State and Justice Departments appropriation bill. There will be no debate over it.

Mr. HARRISON. Very well. I yield the floor.

Mr. SMOOT. Mr. President, I shall not take any time to answer in detail the statements made by the Senator from Mississippi [Mr. HARRISON], but I desire to refer to one in particular at this time, because I think perhaps the country ought to know facts about the statement made by the Senator in relation to the imports and exports of our Government.

From the speech of the Senator from Mississippi we were led to believe that no imports of any amount were coming into this country and that the tariff law had dried up all sources of exportations, and that our export trade had been virtually destroyed.

What are the facts? Only this morning there appeared in the Washington Post an editorial which read as follows:

The overseas trade statistics, made public on Monday by the Department of Commerce, contain the gratifying intelligence that exports in November reached the highest point of the current year. The total value of the commodities sent abroad was \$383,000,000, which is \$12,000,000 more than the figure for October, \$90,000,000 more than that for November, 1921, and \$138,000,000 more than that for November, 1913. It is evident that in this important department of trade the trend is steadily upward. A large volume of exports generally denotes national prosperity, and in the present instance that is undoubtedly its meaning.

That does not look as if our exports are declining to a minimum. That does not look as if in the near future there will be no outlet at all for the products of the farm or the products of the factory; \$383,000,000 worth of goods were exported during the month of November.

Mr. HARRISON. Will the Senator yield?

Mr. SMOOT. I yield.

Mr. HARRISON. Would the Senator mind placing in the Record in this connection a statement of the exports and imports, by months, for the past 36 months?

Mr. SMOOT. I have not that information here, but I will be glad to insert it if I can secure it by to-morrow.

Mr. HARRISON. I hope the Senator will.

Mr. SMOOT. For the last three years?

Mr. HARRISON. For the last 36 months, by months.

Mr. SMOOT. That would take it into the war period, and that, of course, would be of little value.

Mr. HARRISON. Thirty-six months would take it into the war period?

Mr. SMOOT. Yes; that is three years.

Mr. HARRISON. That does not take us back to the war period.

Mr. SMOOT. The Senator knows that right after the war the business of this country was even greater than it was the year before.

Mr. HARRISON. Then let the Senator take it for the last 24 months.

Mr. SMOOT. I am perfectly willing to put it in for the last 24 months.

Mr. HARRISON. The Senator always watches those things. The exports have gone down constantly in the last 24 months, have they not?

Mr. SMOOT. In some months they did, and in some months they did not.

Mr. HARRISON. In most of the months they went down; gradually declined.

Mr. SMOOT. Not since the passage of the tariff bill, however, and it was the claim of the Senator that because of the passage of the tariff bill, that "iniquitous measure," as he designated it, our imports had decreased, and our exports had gone down to almost a minimum.

Mr. HARRISON. They have been so very, very small during the Republican administration that they amounted to practically nothing.

Mr. SMOOT. In the month of November of this year, 1922, our exports were \$138,000,000 more than they were in November, 1913, when the Democratic Party was in power, when there was no war, and just before the breaking out of the war in Europe.

Mr. HARRISON. Will the Senator read what they were in 1916?

Mr. SMOOT. I have not the figures here as to that, but I will say to the Senator that I am perfectly willing to put into the Record a statement of our exports for every month and every year since 1913, if it will do any good.

Mr. HARRISON. I think it will do a lot of good.

Mr. SMOOT. In that connection I want to say that there is no question but that during the war period we exported everything that could possibly be gathered together. There is no need comparing those years with ordinary times, when there is no war. But I am citing last month's figures, a time when the Senator from Mississippi wants the people of this country to understand there was a stagnation in all our exports, and I call attention to the fact that they were \$138,000,000 more in November, 1922, than in November, 1913, the month of November before the declaration of war in 1914. I only hope, as an American citizen, that our exports will continue to grow, and I see no reason why they should not, at least if European countries can get upon their feet again.

Mr. President, that \$138,000,000 increase was notwithstanding the fact that the purchasing power of the people in Europe has been brought so low that in some countries the people can not even get food enough to eat. Yet, with all that, our exports, as I have stated, are \$138,000,000 more for the month of November of 1922 than they were for the month of November, 1913.

Again, I think the figures will show that for the last three months our exports have been more than in any other three months outside of the war period. There is no one on either side of the Chamber who is not interested in legislation that would help the agriculturists of this country. I have no doubt but that the recommendations of President Harding in his last message, wherein he calls specific attention to the need for legislation by Congress, which the Senator from Mississippi has stated he is in favor of, will be carried out, and, as far as I am personally concerned, I want them carried out just as soon as it is possible to do it. The Senator from Mississippi can not denounce the Norris bill in any stronger terms than I do. He does not denounce its principles any more than I do. It is wrong in principle. I have not the least fear of its ever passing this body.

I simply rose to put into the Record at this time a statement of our exports. I am also happy to say that our imports have increased. The Senator from North Carolina knows that my estimate of the amount we would receive per annum after the passage of the tariff bill was \$400,000,000 at the most. From what has occurred since the passage of the bill I think it will be more than \$400,000,000.

Mr. McKELLAR. What does the Senator estimate the import duties will produce?

Mr. SMOOT. If our import duties continue on the same basis that they have since the passage of the bill, I will say to the Senator that I think the revenue will be about \$450,000,000.

Mr. McKELLAR. That is the amount I quoted to the Senator.

Mr. SMOOT. I heard the Senator this afternoon state that he thought there would be 10 per cent of \$450,000,000, and I say frankly now if the increase continues as it has in the last few months there is no doubt but what the sum realized from the importation of goods into this country will amount to \$450,000,000.

Mr. McKELLAR. I had in view the Senator's statement when I made the suggestion.

Mr. HEFLIN. Mr. President, the Senator from Utah [Mr. SMOOT] was boasting of our export trade for last month as compared with the same month of 1913. The fact that the foreign countries are buying from us, as export figures indicate, contradicts the gloomy statement made recently by the Republican ambassador to Great Britain. Just at the time when the cotton crop is moving to market, and knowing that Great Britain is one of the greatest consumers of the raw cotton of America, and that the farmer is trying to get a price that will yield a profit, this Republican ambassador gives out a statement that Europe is about to fail financially and that conditions can not go on much longer as they are now going.

I submit that the figures which have been called to our attention by the Senator from Utah flatly contradict the state-

ment given out by the ambassador to Great Britain, Mr. Harvey. There are a great many people here who believe that he made the statement for the purpose of injuriously affecting the cotton market and the wheat market of the United States. It did seriously affect both. All sorts of things are resorted to in order to affect the markets here to aid the speculator in robbing the farmers of the United States.

This same man Harvey, who made the statement just referred to, not long ago rose on a solemn occasion in London and expressed serious doubt as to whether a woman has a soul. This man is representing a Christian nation—

Mr. CARAWAY. Oh, no; misrepresenting it.

Mr. HEFLIN. Misrepresenting it, as my friend from Arkansas suggests. I submit that, acting as ambassador of the greatest Government on the globe, he cast a reflection upon every woman in the United States and in the world. Paul said to Timothy—

The faith that is within thee was first in thy grandmother, Lois, and then in thy mother, Eunice.

Woman has been and is to-day the keeper of the faith.

If there is one or the other who has not a soul, it must be George Harvey and not the American woman. If I had been President of these United States when this ambassador made that speech in London, I would have recalled him by cable.

Mr. CARAWAY. Why not dismiss him and leave him there, and not bring him back?

Mr. HEFLIN. I agree that that would have been better. I would have employed whatever method would have humiliated and punished him most. The President of the United States owed it to the Christian Nation which he represents to call that man away as representative of our country to Great Britain. But this man who misrepresents our country, strange to say, has not been removed. He has done half a dozen things that have warranted his removal, but it is strange that certain influences here seem to get a man of this type in position and hold him there and it is impossible to get him out. It is strange indeed.

This man gave out the statement to which I referred, that Europe was just about on the edge of financial collapse, when it is not so. When Europe can buy more stuff from us and pay for it in the month just passed in 1922 than she could prior to the war it presents a situation that flatly contradicts the statement of George Harvey. His statement, in my judgment, was made for the purpose of affecting the grain market and the cotton market in the United States. I have seen letters to the effect that his statement broke the cotton market several dollars a bale. That means a good deal on a crop of nine or ten million bales. That means a great deal to the farmers who are struggling and are in dire distress to-day. But this man is permitted to get away with that sort of thing.

While Harvey stands in London telling us of the deplorable financial situation in Europe, the Senator from Utah [Mr. Smoot], one of the leaders on the other side of the Chamber, stands here and boasts of the purchasing power of Europe and how it has increased, how it has grown by leaps and bounds until to-day they are buying a great deal more, nearly \$200,000,000 in one month, more than they did prior to the war, before its terrible devastation struck and cursed that country.

I submit that these are very remarkable contradictions. Either George Harvey is mistaken or the Senator from Utah is mistaken. I am satisfied the Senator from Utah is not mistaken, because I am sure he has given the figures correctly.

Mr. President, the Senator from Utah complains that we are delaying the passage of the ship subsidy bill. I want to call attention to what happened in connection with the tariff bill—the most obnoxious and oppressive tariff bill ever written. It was kept hanging here for one year, and it was held back by the Republican Party and was not permitted to be put on the statute books until it was too late for the American people to know the evil effects of it before the election.

Mr. SMOOT. Mr. President, I think the Senator ought to be fair. I have never before stated on the floor of the Senate, during all of the discussions, that the Democratic Party held that bill back until just before election so the American people would not get the benefit of it. I am surprised to hear the Senator from Alabama now make the statement that the Republican Party held it back. The Senator knows that the Republican Party would have passed it months and months before it was finally passed. The Senator from Alabama was one among the Senators on his side of the Chamber who prevented its passage. If we had had that bill in operation six months before election, every argument that was made by Democratic speakers in the campaign would have been swept away from under the feet of my Democratic friends, because

it would have demonstrated then, just as it is demonstrated to-day, what we said would take place.

I do not like to have the Senator say that it was the Republican Party that held it up until just before election. If anything could have defeated the party on account of the passage of the legislation, that very thing would have defeated it, because the Senator knows the result of a change of tariff law, when it has not had time to demonstrate its—

Mr. HEFLIN. Time to get in its awful work?

Mr. SMOOT. When it has not had time to demonstrate what it will accomplish, no matter whether we call it good or evil. Let it demonstrate itself. Of course, all sorts of charges could be made against it and it may be called anything. The sponsors of the bill could only say, "We do not believe it;" but if it had demonstrated itself as it is doing to-day and as it will do in the future, all we would have to do would be to point to the results, just as I have pointed to them this afternoon.

Mr. HEFLIN. I am glad to have this confession from the Senator from Utah. It is a fact that they wanted to pass the bill the first week they brought it in here without discussing it. Senator SIMMONS insisted that its provisions be discussed. I remember that the Senator from New Mexico [Mr. Jones] got up and asked that the first item be explained. He asked why that rate was fixed and why that item was put in the bill. The very intelligent and frank answer made was that it was put in there for the same reason that all the other items were put in there. That was the amazing and only information that was given on the subject. We commenced then to take up the bill, item by item, and call the attention of the American people to what was going to happen through that legislation. Some of the Republican newspapers commenced to arraign Republican Senators who sponsored the measure, and it was the exposures made by the Democratic Party in this body that got out to the people that turned the Republican majorities into Democratic majorities and changed the political complexion of both bodies in the recent election.

Mr. SMOOT. Of course, the Senator can say that and claim it, but that does not necessarily prove it. I do not know which Senator we are to believe—the Democratic Senator who just preceded the Senator from Alabama or the Senator who is now addressing us. The distinguished Senator from Mississippi [Mr. Harrison] said it was the shipping bill that did it. In the House discussions I notice there were other things said to have brought it about. Now, we are told by the Senator from Alabama that it was the tariff bill that brought it about.

Mr. HEFLIN. I am just referring to one of the things on which you have filibustered, or rather on which you have taken a great deal of time. That is the reason why I am commenting on that. I am showing that you had it under consideration for more than a year, and you will probably have the ship subsidy bill under consideration for more than two years. You do not think so, but you may.

Mr. SMOOT. I do not know how long it will take. It all depends upon whether the filibuster develops or not. I know just as well as I know I am standing upon this floor now that a filibuster can stop the passage of the ship subsidy bill.

Mr. HEFLIN. Does not the Senator think a filibuster that would defeat it would be justified?

Mr. SMOOT. Oh, no; I do not. That is a difference of opinion between the Senator and myself. I will admit frankly that four days were taken in the discussion of the tariff bill to settle the question of the rate on vinegar. I know that, and the Senator remembers it very well. I was not deceived as to why it took four days to pass the one item of vinegar. It was for the very purpose of holding up the passage of the bill until just before election.

Mr. HEFLIN. I hope the Senator will not consume the time of the Senate in discussing one item now, especially when the subject matter is so sour a thing as is vinegar. [Laughter.] We want to get along with business, and the Senator wants to take up my time discussing vinegar.

Mr. SMOOT. I shall not interrupt the Senator again.

Mr. HEFLIN. The Senator said if the tariff bill could have been passed six months earlier and could have gone to the country the situation would have been different; that it would have worked miracles. Mr. President, I sincerely believe if it had been passed six months earlier, and we could have had the same discussion up to that time which we had before the bill was passed, there would not have been enough Republicans left on the other side to count. Look how it trimmed the Republicans out in the other House. Republican editors when they read the able speeches of the Senator from North Carolina [Mr. Simmons], of the Senator from New Mexico [Mr. Jones], of the junior Senator from Utah [Mr. King], and of

other Senators who discussed the tariff question, turned right around and said, "This thing ought to be defeated." I submit to the Senator from Utah and to the Senate and to the country when Democrats with a few grains of truth and a few flashes of light can so convince a Republican, can so enlighten him that he changes his position completely and fights the thing which he formerly supported, that is "going some"; yet we saw that happen right here in this country.

I am not going to make a speech. I merely wish to comment briefly upon an article which appears in the Washington Post this morning in reference to the leadership on the other side of the Chamber. It reads:

Senator JONES made a faint gesture in the direction of the only drastic step which the Republican leadership can take to put a stop to the wasting of time now going on in the Senate. This would be by making a motion to lay the Norris motion on the table. Such a motion is not debatable.

That is a gruesome confession to be made by the Republicans who talked to the newspaper man; that we are wasting time when we stand here and demand legislation for the farmers of America. Those farmers are part and parcel of this Government; they contribute to its support, to its strength, and its glory; they are patriotic people. Their boys went to the World War and fought under the flag. Some of them died and others of them came back, having been wounded in the cause of their country; but when we stand here and undertake to plead for legislation, not giving special privilege to the farmer but legislation that will put him on the same business basis as other classes of people, this article refers to our efforts as a waste of time.

Here is another paragraph to which I wish to call the attention of the Senate:

What the leadership is afraid of is that even if the Norris motion were tabled or defeated, the discussion on farm relief would go on just the same.

It is now clear the Norris motion can not prevail, but the tactics being employed to defeat the administration's program might easily throw the final test over into the new year, thus still further jeopardizing the chances of the subsidy bill.

Oh, Mr. President, that presents an awful picture to my mind. Here is a newspaper supporting the administration, the mouthpiece of the Republican side, criticizing those of us over here who demand legislation in the interest of agriculture that is very much needed by the farmers of the country. That newspaper states that we are continuing the discussion and we might continue it over into the new year. On the other side, it is suggested that that would jeopardize the President's program and would defeat the President's measure, which is aid for the shipping trust of the United States. I call the attention of the Republican Party here assembled and the country over and the attention of the people of the Republic at large to the fact that the Republicans are striving, with whip and spur, to force through a subsidy measure in the interest of the shipping trust, but are holding back all legislation looking to the benefit and relief of millions of people in the agricultural sections of the country.

Mr. President, I have been sitting in the Committee on Agriculture and Forestry listening to the hearings and participating in them. I wish every man and woman in the country could have heard farmers and country bankers from the West testify, for their testimony was of such a character as to bring tears to the eyes of anyone who really had a heart. I heard those farmers testify that their land was mortgaged. I asked "And how did you get money or credit then?" They said, "We got it on our cattle, our horses and mules." I asked, "After you had mortgaged your stock, how did you get it then?" They replied, "We mortgaged our growing crops."

That is the condition which confronts us in the agricultural regions of the land. The farm lands are mortgaged; the roof-tree that shelters the family is plastered over with mortgages; the live stock about the premises are covered over with mortgages; the crop which is growing in the fields is covered with a mortgage. That is the class of people who come to Congress and ask us to create a rural credits system that will enable them to break the chains of the bondage that binds them; yet this newspaper says that the fear on the part of the Republican leaders is that the Democrats will continue this discussion of relief for the farmers over into the new year and that the danger is that we shall defeat the President's pet scheme of a ship subsidy bill.

Oh, Mr. President, one can not serve two masters. A man must either be for God or mammon. He has got to choose in this Chamber whether he will be for the ship subsidy, with all its iniquities, or will be for the farmers of the country, their wives and their children who are clamoring and crying out for fair treatment at the hands of Congress.

I wonder why it is that the special interests can always get the ear of the Republican Party? Why is it that they are so powerful that they can get the President to come to Congress and deliver a message specifically naming a certain measure and urge immediate action? When the Republican leaders refer to other measures they do so in glittering generalities; they merely say, "We ought to have some sort of a rural credits system"—just shooting at the moon, and with little bird shot at that. However, when it comes to a ship subsidy they get a big Winchester with a steel bullet and they shoot right at the spot, and there is no time lost then; they go right to the issue.

Mr. President, in another place in this article it is said that—This week's filibuster has already cost them \$400,000.

Think of that, Mr. President! Whoever it is who is writing these inspired articles is employing new tactics against us. He states that we are costing the Government \$400,000—doing what? Demanding of a stubborn Republican majority legislation in the interest of the agricultural classes of the United States. Are we wasting time? Is that a waste of time? Mr. President, time spent in demanding justice for the agricultural class is time well spent; and when we can not secure action by coaxing and appealing to the other side, if we can employ tactics which will force action to give relief to the farmers before the shipping trust is served, I say we are performing a patriotic duty; it is not a waste of time, but is time well spent.

I quote another statement from the article in the Washington Post:

The statement by Chairman JONES late in the evening that he had received information which led to more optimistic conclusions was most reassuring.

I wonder what sort of information that was; I wonder who gave such information.

What this information concerned was not disclosed.

Oh, Mr. President, how mysterious the workings of the ship-subsidy crowd! They are receiving information, but we do not know whence it came. It did not come over any particular wire running into this Chamber, I presume, but probably it came by wireless from somewhere out yonder. However, it is stated that the chairman of the committee did not disclose the character of the information he received. The article continues:

What this information concerned was not disclosed. It indicated the terrific Progressive counterattack of the last few days had failed and that the administration forces had been strengthened.

I want to know who it is that has gone back on the people; I want to know who it is that is ready to sheathe his sword; I want to know who it is that is ready to crawl and trundle to those who stand beyond the walls of this Capitol and demand that the ship subsidy bill be driven through? Who is it that is giving information that those who are opposed to ship subsidy are weakening? Where are they? Where is a single one of them who stood out against this thing who has now gone around and whispered to somebody somewhere in some mysterious fashion that he is about ready to go with the other side?

No, Mr. President, the ship subsidy bill ought not to be here at all; it ought to be considered, if it is to be considered at all, by the Congress which is coming in on the 4th of next March. Lame ducks ought not to settle this question.

Now, I desire to draw a picture of a defeated candidate repudiated at the polls. I may say first, however, that the people voted against some of them because they were not clear as to whether they were against the ship subsidy bill or not, and I dare say there is not a Republican who was elected at the recent election who would have stood up before his constituency three days before the election and told them if re-elected he would vote for the ship subsidy bill. Why should we act in that way with the rights and interests of the American people? They are entitled to be taken into our confidence.

Referring to the picture of the lame ducks, Mr. President, there he is at home submitting his case to the people. They say, "No; we do not indorse your record; we do not want to keep you there any longer." So they defeat him; he is repudiated by them, by the sovereign power of his district or State. Then he comes back to Washington, although his term ends on the 4th of March. The White House looms in the distance, and the President stands beckoning and smiling; the lame duck goes "laming" on up in that direction and the President whispers to him, "I will take thee into my bosom. You have been beaten at the polls, repudiated by your people; but you still have a vote, and I have an official plum tree."

Mr. President, of course I do not charge that the President would do a thing like that, but I am just wondering if he did; whether that fellow—remembering back yonder the expressed judgment of the people—hearing this beckoning call and seeing this winsome smile, with this tree full of plums just ready to

shake and fall, would not think how nice it would be to sit up under it and pick out a nice, luscious, ripe plum and ask the President to knock it loose and let it fall into his tender care and keeping. [Laughter.]

Mr. President, in the House there were sixty-odd Members who had been defeated, and they put over this ship subsidy bill. But for their votes it would have been defeated in the House. Nobody can deny that. This is a serious thing we are talking about here to-day—the undertaking to give away, for a song, ships that cost this Government in cold coin \$3,000,000,000—three thousand million dollars. We have a man at the head of the Shipping Board, a Mr. Lasker, who told the world that we could not sell the ships, and that there was no market for them, and threw off on them in various ways, and then said: "What will you give me for them?" Did you ever see a discreet, intelligent, worthy agent do anything like that? Then he comes along and says: "Now, we can only get about \$200,000,000 for this three thousand million dollars' worth of ships, a fleet of the finest steel merchant ships that sail the sea. It is proposed to give them to the ship trust for \$200,000,000, and loan them money at 2 per cent, and give them out of the pockets of the people a subsidy of \$52,000,000 a year."

Mr. President, I am going to make a prediction now. The man who votes for this bill will be defeated two years from now if he is a candidate at that time. The people are not going to stand for this sort of a steal. I do not know how to characterize it in any other way. Anybody that would recommend the selling of this Government's property that cost three thousand million dollars for two hundred million dollars has something wrong with him. He ought to have his head examined, or his heart, one or the other, and maybe both. There is something wrong somewhere.

What would you do, as an individual, if you owned those ships and general business conditions were bad, as they say they are now? Why, you would say, "I will just throw my arms around them and sit quietly down and hold them until times get better." Why should the Government of the United States have this action taken by the administration that stood on every housetop in the Nation saying that it was going to take the Government out of business and put business into Government? This is business with a vengeance, is it not—selling three thousand million dollars' worth of ships for two hundred millions? And then, if you have not money enough for their upkeep, why, bow and smile to them and say, "We are going to make a special exception in your case. We are going to let you have money out of the Public Treasury at 2 per cent. We do not show that consideration to anybody else under the sun. You are a trust. You are going to get the benefit of these ships that the Government has built. We are going to make special pets of you and give you a subsidy of \$52,000,000 a year, and on top of that we are going to loan you money at 2 per cent." There is no man living who can defend such a deal before the American people.

You can talk about wasting time all you please. You can talk about a filibuster. Some of you two years from now, after the election is past, will wish that this filibuster had lasted beyond your terms, so that you would not have had to go on record. I remember, when the Newberry case was up, standing here myself in nine different speeches upon the subject, and I warned my friends on the other side that when they voted to give Newberry a seat they were voting to give up their own seats; and the people trimmed every one but one of them, I believe, that voted for him.

Mr. President, I make the prediction again: that Senators who vote for this ship subsidy will be defeated. That is the only way the people can get agents out of here that serve other interests and not their interests. They have a right to get them out. They ought to get them out. Whose Government is it, as I frequently ask? It is the Government of the people; and if Congress undertakes to ram something like this down the throats of the people, and does it with a lot of lame ducks, it adds to the outrageous aspects of the case, and it ought not to be tolerated.

Mr. President, there are some of us here who are interested in legislation for the farmer. We simply want a fair deal given to the farmers of the country. We want a rural credits system established that is suitable to the farmer's business, and we intend to see that that is done. I, for one, am not in favor of sidetracking for one hour legislation looking to the interest of the farmer and the relief of the farmer to consider any bill in favor of the special interests of America, especially such a measure as this ship subsidy bill. There ought not to be a man in this Chamber who would urge its consideration over these measures looking to the relief of the farmers of the country. As I have shown, the farmers' land is mortgaged;

their homes are mortgaged; their cattle and horses and mules are mortgaged; their crops are mortgaged; all that they have is tied up; they are in a state of bondage, and we are undertaking to stretch forth the healing hand to give to them deliverance.

Mr. JONES of Washington. Mr. President, I ask unanimous consent that when the Senate closes its business to-day it recess until 12 o'clock to-morrow.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIAL. Mr. President, I have such high regard for the honesty and for the zeal of the Senator from Nebraska [Mr. NORRIS] that I regret to oppose almost any legislation that he proposes; but, Mr. President, to my mind the bill involved in the pending motion is so revolutionary and is so much out of order, there is so much to be condemned in it, that I could not think for one moment of supporting the bill. It is paternalism run mad, and I never could bring myself to vote for any bill that would put the Government deeper into business. In fact, I wish that the Government were out of all kinds of business that it is in. We have had a sad experience in the past by reason of the Government dipping into business, and this bill goes much further than we did, even in war times. It is thoroughly unconstitutional. It is thoroughly out of keeping with the times. Therefore I could not even vote to lay aside temporarily the shipping bill and take up the Norris bill, notwithstanding I confess that I have a good deal of difficulty in deciding which one is the more objectionable. I am almost in the position of the senior Senator from Mississippi [Mr. WILLIAMS]. However, I will not do as he did, and fail to vote. I will stand my ground, and vote for the lesser evil, I hope, with a view of having them both defeated.

Mr. President, I presume that there is but little divergence of opinion in the Senate about trying to enact some legislation beneficial to the agricultural interests of our country. I am certainly heartily in favor of passing a proper bill at the earliest possible moment. I am deeply concerned in agriculture, and certainly for the last several years the producers have not received anything like they should have received. In my part of the country, in addition to financial troubles, we have had the pest of the boll weevil, which has infected pretty much the whole cotton-growing country; and my State, particularly this year, has suffered more in proportion than any other State in the Union. Where year before last we raised in that State about 1,600,000 bales of cotton, last year we made a little less than 800,000 bales, and this year we will not raise over 500,000 or 530,000 bales; so that is a great slump. Our sister State of Georgia is about in the same condition. The situation in North Carolina is not quite so bad, but the boll weevil is going in that direction, and no doubt next year will have enveloped the whole cotton area. Therefore we should do something to aid the farmers in a proper way.

I am not one of those who believe that all ills can be cured by loaning people money. In fact, I am not much in sympathy with the propaganda of the times, encouraging people to get deeper in debt. My training has been to borrow as little as possible. It is not so hard to borrow, but the time for payment is the time when we encounter great difficulty. However, there are times when people of all occupations should be accommodated by credit in the proper way for a reasonable time at the lowest possible interest. I hope the Banking and Currency Committee will expedite their deliberations and will soon report a bill, and if we can not agree upon it at once we can soon whip it into shape, and I hope it will be passed in a few days.

In the meantime, I do not think that any efforts should be spared to expose the iniquities of the shipping bill. I am a member of the Committee on Commerce, and I confess with some humiliation that my education in regard to ships is limited. I have had very little experience along that line, but with the desire to become better posted, I attended most diligently the meetings of our committee, held some time ago, with Mr. Lasker before us, and those meetings extended to late hours at night; so that at physical inconvenience I attended those meetings in order to get better posted and to see if I could aid in any way in solving the problem of disposing of the Government's ships.

We find that the Government has this large tonnage on hand, built during the war, and built at enormous cost. I am not one to complain about that, however, and to find fault. It was necessary to build them at the time, regardless of cost, and there was no one to blame. It was thought to be necessary. I am only sorry that there was so much profiteering in their construction.

However that may be, that should be counted as a cost of the war, and we should now make the best disposition possible of those ships. I hesitated a good deal about supporting the American merchant marine act of 1920, but I was young on the committee, had been on it only a short time, and that was thought the best solution of the problem at that time. I have watched the disposition of those ships since that time.

This is a large problem which we have to dispose of. It is one which requires the very best thought in the country, and I was in hopes that the Government would be able to dispose of those ships at a reasonable per cent of the cost, at least; but it seems that for the last few years the demand for shipping has declined greatly, and those ships, which were built at a cost of something like \$200 a ton, could not be disposed of for more than \$30 a ton, even the steel ships. That was a great disappointment to the taxpayers of this country.

I confess I have been greatly disturbed as to the best disposition we could make of the ships. I am very much interested in the subject, and I attended the hearings to which I have already referred with a great deal of interest and an open mind, to see if I could get some information; but I must say that I was greatly disappointed at those hearings, and I had reluctantly to come to the conclusion that a proper effort had not been made to dispose of the ships.

I am opposed to Government ownership of railroads, ships, or any other so-called public utility, and I would take great delight in seeing those ships disposed of to private owners at the earliest possible moment, so that the Government could retire completely from the shipping business, but I am totally at variance with the methods which have been pursued by the Shipping Board. I do not like to say harsh things against people; I prefer to think well of everybody. I know most of the members of that board, or a great many of them, at least, very pleasantly, and I was in hopes they would make a success of the operation and disposition of the ships, but after listening to Mr. Lasker—who, I am sorry to say, in my opinion is about the whole show, he having been selected apparently for a purpose, which he has about performed—I was surprised to find that the efforts of this board had not been to make money by operating our ships. In fact, if they had tried to make a failure they could not have succeeded better than they have, notwithstanding the tonnage of the world is no larger than it was just preceding the war. Yet we have something like a thousand steel ships tied up.

When Congress donated \$20,000,000 to buy corn for the Russians, it was publicly stated that the ships of the Shipping Board were not in condition to convey that corn across the ocean. At that time I made some remarks on the subject and criticized the board, stating that that was a very poor advertisement in a campaign to sell the ships when we had over 900 tied up, decrepit, lame, and halt, ships which could not carry the grain we were donating to relieve the suffering in Russia. A few days after that public talk we were notified in the Senate that they could carry the grain across. I guess that woke them up. That is a demonstration of the incompetency of that board, and of their methods of advertising our ships.

To my great astonishment Mr. Lasker said—and I do not want to misquote him—that if there were cargoes to be had, and if there were individual shippers who would take those cargoes, he would not allow the Government ships to come in competition with them. In other words, they did not go after business, but tied the ships up, and would not let them get business. He further stated, to my astonishment, that he was spending a large part of his time in trying to organize companies to buy those ships from this board.

I do not like to criticize the administration, notwithstanding I am not a member of the majority party; it is our Government, Mr. President, and I like to accord to all Government agencies the thought that they are doing the very best they can. But after listening to Mr. Lasker for a long time on different evenings, and seeing the performance of his experts, I reluctantly arrived at the conclusion that his effort was to belittle the ships, instead of trying to give them their proper standing in the world. It seemed that his main thought was to cast reflections upon the former administration on account of the cost of the ships and the mistakes they had made. It may be true that ships did cost too much, and I think they did, and it may be true that there were too many built; but the former administration were not trying to build ships for the sake of building them; they were building them for the purpose of winning the war. It seemed to give Mr. Lasker great satisfaction to cast all the slurs he could about mistakes which had been made. I have never thought it was very profitable to go back and complain about the past, or find fault with somebody. It seems to me the way to build up a country, particularly with the tax-

payers' money, is to try to avoid duplicating the mistakes which have been made in the past.

So I am not surprised at the financial failure of the Shipping Board. It seems that Mr. Lasker had no experience with ships; in fact, he admitted so, and made light of his own knowledge. He hardly would have known a ship from a two-horse wagon, said he had no experience with shipping, and that he took the position reluctantly. My understanding about it is that he is an advertising agent, and I think he has advertised the inefficiency of our ships most liberally.

It seems to me a peculiar thing to hire a man to sell something, and then for him to go out and malign it, and blackguard it, and belittle it. That is about the best course he could take to give them away. If I had a kicking mule, I would not advertise that he was a kicking mule. I might reluctantly have to answer the question if I were asked, but I would not tell that he was a balking mule, and that sort of thing, all at one time. I would not misrepresent him but I would not want to magnify his faults. It seems to me they have done that in the case of these ships.

The board seems to be incompetent to run the ships, and they had to go out and hire some men at salaries of \$35,000 a year each. I am one who believes that a laborer is worthy of his hire, and I do not blame a man for asking as much as he wants for his services, and if the other man is willing to pay that is his lookout; but it seemed to me that, with the great number of people in the shipping business in the United States, men who were experts in operating ships could have been employed at much lower salaries than that. When we think about the salary of the Chief Justice of the United States being not more than half of what one of these men is getting, and when a hard-working Senator comes here and works day and night, with all the vicissitudes of being reelected, and draws only about one-fourth of that salary, it seems that the Shipping Board are trying to find a way to dispose of money instead of trying to save it. So no one need be surprised at the result. In fact, it would have been most remarkable if that board, operating about 400 steel ships, I believe, with something like a thousand tied up, could have made ends meet.

I am firmly of the opinion that the right way to dispose of those ships would have been to put them in active business and to have competed with the ships of this country and the ships of the world, and wherever there were cargoes to have sent after them, and tried to help build up new routes, and tried to let the people who owned ships know that the Government was in the business and that the Government could operate ships. Then those private owners would have gone in and bought a large number of those ships at reasonable prices.

Now we have to dispose of them in some way. I would dislike very much to see the Government in the shipping business permanently. But there are worse things than that. If we could not get rid of them at a reasonable price, and if we could not get rid of them without paying people big bonuses and subsidies to operate them hereafter, I would favor the Government operating them itself until shipping in the world becomes more normal. Then possibly we could dispose of them.

I do not think that it is commendable for a legislator or anyone else to "knock" a plan unless he has something better to propose. The slight degree of success I have attained in the world has not been by knocking down the other fellow's propositions or destroying something, but it has been by trying to construct and build up. It is much more agreeable to me to take that course than it is the course of "knocking." So we either have to pass the subsidy bill, it seems, or do something that is better. If I had it in my power, the line of action I would pursue would be to see if we could not get Congress to take a sane view of the situation. This is a serious matter. The taxpayers of the country have something like \$3,000,000,000 invested in these ships. Considering the distressing times, the scarcity of funds, the shortness of crops, and the great distress that is in the country, the rising cost of living and the increasing taxes, we should do something to see if we can not put the people of the country in a better condition.

So it seems to me that it is a good time now for Congress just sanely to take a new stock of our situation and of our laws and of what we are going to do in the future. World conditions have changed in the last few years. We are now a creditor Nation instead of a debtor Nation. Therefore, we have to look to different ways of doing business. The time has arrived when we might have to adopt revolutionary laws. In fact, I think we should take a new start and revise our conditions generally. Every Member of Congress should approach these subjects in a calm, honest, fair way, with a view to the best interests of the taxpayers of the country. The mere fact that a measure has been introduced by one side or

the other or is advocated by one side or the other, should not justify other people in opposing it. They ought to advocate something of real merit, of real constructive quality, something that would help our people permanently. If we do not do that, we are going to encourage the voters of the country to become more discouraged and more demoralized than ever before. I am glad that I live in a conservative section of the country. Our section has a greater proportion of original citizens and of pure-blooded Americans than any section of the country. I noticed the other day what the Vice President had to say with respect to that, that we were the balance wheel of the whole country; that we were the conservative element of the country. It is time that we get that principle inculcated all over the United States.

It pains me to hear Senators make speeches like they sometimes do here. I noticed the other day that the senior Senator from Iowa [Mr. CUMMINS], for whom I have great respect and in whom I have great confidence, admitted that we could not pass any railroad legislation at this session of Congress. Whatever is for the good of the people ought to be passed at any time, and nothing could be done that would help out more than to revise our railroad legislation. It ought to condemn and damn any man forever who stands in the way of constructive legislation. Yet we are told that we can not at this session enact any railroad legislation. I do not care whether this session ends the 4th of March or whether it ends the 1st of February, we ought to sit down and get together and pass laws that would help the country, without even a week's debate. If we do not do it we are bringing about our own destruction.

Now, in the matter of the shipping bill, while I feel that I am not an expert at all, yet I have studied the subject somewhat, and I would suggest that we take a comprehensive view of all the laws on shipping and see what are injurious and what are beneficial. If there is anything injurious, we ought to be men enough to repeal it even if it might make us unpopular with certain people in the country. I am told that there is a good deal in the seamen's act that militates against the successful operation of our ships. Instead of trying to wink at a proposition or trying to evade it, we ought to meet it and every proposition squarely. We ought to be men enough to legislate for the people as a whole in the country and for no class and no section. If I had it in my power I would repeal, before 6 o'clock to-night, every law that gives special privileges to any class of people in the country.

I received the other day a copy of *American Industries*, a magazine published in this country, from which it appears that they have submitted the ship subsidy question to a large number of prominent business men throughout the United States. It seems to be almost the unanimous conclusion of a great number of the big business men who replied to the questionnaires that there is something wrong with the shipping laws of the country. We ought to know what is the matter. If we do not know, we ought to get experts to tell us. We ought to study what is right and what is wrong in those laws.

In the first place, I will state that the whole shipping bill, to my mind, is on the wrong basis. It is a kind of hothouse proposition. We may just as well get rid of the idea that the Government can make people rich by taking from one class and giving to another class. The bill is wrong at the bottom and it is wrong at the top. It starts out with a subsidy on the theory that here is an infant industry, "sucking the bottle," and we have to support it. That is a wrong proposition. What we need is that the people of the country go to work. Any enterprise that needs special nursing and special hot-house attention is not worthy of help.

On the other hand, we put in the bill a provision that if a man makes over a very small per cent that surplus is to be taken away from him and put in the Treasury. That is a wrong proposition. That is against the principles that have made this country great. We should not expect people to invest their money in an enterprise, to develop the resources of the country, whether it be in the field or in the mine or in the factory or on the sea or anywhere else, asking the owner of capital to take all the hazards of the business, when he has worked a little bit harder than somebody else and taken care of his money and invested it, and then have the Government come along and say, "I will take all that you earn above a very small percentage." That is a wrong principle. We never would have built up this country if we had had any such principle prevailing. It is wrong in business. It is wrong in every way.

I know something in a personal way of water-power companies, for instance. After a man takes all the chance of developing, all the risk that he runs by combating the ele-

ments and all the uncertainties of the business and the customers, it is wrong, then, for the Government to come along and say, "If you were exceedingly fortunate one year, if you sat up all night and worked hard and lived scantily, so that you made more than a certain little per cent, we are going to take it away from you." We will not be able to get people to go into enterprises of that sort if we adopt that principle. I do not wonder that people will not buy ships under those circumstances.

I can not understand how it is expected that we should give a subsidy with these ships. They are practically given to the operators. They have the oceans to run upon, with no tracks to lay, no grass to cut, no weeds to keep down, and with very little expense of operation. Why they can not make money I do not understand. If we can not compete with the ships of the other nations of the world, it is time that we learn how to do it.

As to the seamen's act, to which I have referred, I notice in the magazine, *American Industries*, an editorial on page 6, in which, speaking of what we will have to do to make a merchant marine, it said:

Restrictive labor laws must be repealed; without their repeal no intelligent shipping company will take over Government ships at any price commensurate with this present cost in the expectation of making them profitable or of maintaining an efficient and loyal organization.

On page 7, in an article by Mr. Frederick J. Koster, it is said that—

In many ways foreign ships can be operated much more economically than American ships, primarily because wages and living conditions of foreign ships' officers and crews are very much lower. It is generally accepted as an axiom that where the overhead of an American manufacturer is higher than his foreign competitor, the former must either sell his goods at less or must sell better goods to offset the difference, or else go out of the foreign-trade business.

I was interested the other day in hearing the Senator from Washington [Mr. JONES] read from the opinion of Robert Dollar. Robert Dollar is a shipping man, and must be a man of great experience, who knows what he is talking about. On page 20 of the same magazine he said:

As Congress will not change or modify the laws that drove the American merchant marine off the ocean before the late European war. I am in favor of a subsidy. I claim, however, that if our laws and regulations were the same as our competitors', we would not require any assistance from our Government. This applies only to cargo ships engaged in the foreign trade. No foreign government gives subsidy or aid to their cargo steamers, and they are able to operate successfully; for this reason I say that under the same conditions American shipowners could successfully operate American ships.

It may surprise your readers to know that until my company put three American 10,000-ton cargo steamers in the foreign trade of the Pacific Ocean, running from the Pacific coast ports to the Orient and around the world, there was not one privately owned American steamer engaged in this great Pacific Ocean trade. All the American ships engaged in this trade were owned by the Shipping Board.

I write on the question of subsidies without any bias, as, with the restrictions proposed in the subsidy bill, I could not take advantage of it.

So it seems he could not take advantage of it even if it has become a law. Mr. Dollar continues:

A sharp distinction must be made, however, between cargo and fast mail steamers. They can not and are not operated by any nationality unless either subsidized or paid a large compensation for carrying the mails. Every nation assists their fast mail steamers in one way or another, and as all American steamers cost 20 to 30 per cent more to operate than those of other nationalities, it goes without saying that it would be impossible for them to compete without being subsidized.

The "seamen's act," or "La Follette bill," as it is called, was so vicious and bad that several sections of it have never been enforced. The latest legislation is the joker put on the tail end of the tariff bill, which provides that all repairs made to American ships in foreign countries shall pay 50 per cent duty. As American prices are more than 50 per cent higher, it goes without saying that American ships are penalized 50 per cent over and above what their competitors have to pay. I only mention these two bills, as they are the very latest. There are many more, but too numerous for this article.

I have the kindest feeling in the world for people who work; I want them to realize everything they possibly can from their labor, all that it is worth, and all they can reasonably get, whatever is fair and honest and equitable; they ought to be paid good wages and be encouraged to work harder; but if there is anything in our laws which would restrict the operation of our ships, we ought to repeal it. Therefore, Mr. President, what I would undertake to do would be to amend existing law.

Our shipping is encumbered in its operation by the tariff. I hope it will soon be demonstrated that we will have to amend the tariff act in some respects so that we may encourage our shipping. Then, I would encourage railroad connection with the ships; I would aid in that way.

Then I would turn the Lasker propaganda for the sale of our ships into a propaganda to induce the people of the United States to patronize our ships. I am ashamed to note that Government employees—even officials of the United States—when they are compelled to go abroad on business of the Gov-

ernment frequently travel in ships of other nations. That should not be the case; and prevention of that is one thing in this bill that I must say deserves a little commendation, although it is about the only good thing in the bill. I am glad, however, that it has some good in it.

Mr. President, I understand an executive session is desired. I have not quite finished my remarks.

Mr. JONES of Washington. Would the Senator like to conclude his remarks to-night?

Mr. DIAL. No; I have no objection to deferring them until to-morrow.

Mr. JONES of Washington. Very well.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry?

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. WILLIAMS. With a view of determining my own conduct, because I have a slight notion of making a short speech of from three and one-half to five hours—I am not certain which—I should like to inquire of the manager of the bill whether it is contemplated to adjourn very soon or whether it is contemplated to hold a night session?

Mr. JONES of Washington. We do not contemplate a night session to-night, unless the Senator desires to proceed to-night.

Mr. WILLIAMS. Very well; then I will postpone my infliction. I do not desire any particular time for the infliction, because I shall not enjoy it myself, and I shall not take any pleasure in the suffering of the Senate; but I thought that if it were necessary I would impose the infliction to-night, and if it were not necessary I would do so at some time hereafter.

Mr. JONES of Washington. We will not require the Senator to do that to-night.

Mr. WILLIAMS. Very well; then I am perfectly satisfied.

CREDENTIALS OF SENATOR KING.

The VICE PRESIDENT laid before the Senate a certificate of the Governor of Utah certifying to the election of WILLIAM H. KING as a Senator from the State of Utah for the term beginning March 4, 1923, which was read and ordered to be filed, as follows:

STATE OF UTAH, Executive Department.

To the President of the Senate of the United States:

This is to certify that on the 7th day of November, A. D. 1922, WILLIAM H. KING was duly chosen by the qualified electors of the State of Utah a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, A. D. 1923.

Witness: His excellency, Gov. Charles R. Mabey, and the great seal of the State of Utah hereto affixed at Salt Lake City, Utah, this 29th day of November, in the year of our Lord 1922.

[SEAL.]

By the governor:

CHAS. R. MABEY.

H. E. CROCKETT, Secretary of State.

REPORTS ON RUSSIAN RELIEF (S. DOC. NO. 277).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and ordered to be printed, and, with the accompanying papers and documents, referred to the Committee on Appropriations:

To the Congress of the United States:

As required by the act of Congress for the relief of the distressed and starving people of Russia, approved December 22, 1921, I transmit herewith reports from the American Relief Administration, the United States Grain Corporation as fiscal agent for the Purchasing Commission for Russian Relief, and the comptroller of the American Relief Administration, which organizations were designated to carry out the provisions of the said act.

WARREN G. HARDING.

THE WHITE HOUSE, December 20, 1922.

APPOINTMENT OF DIRECTORS OF CERTAIN INSTITUTIONS.

The VICE PRESIDENT. Pursuant to the provisions of law governing the choice of directors on the part of the Senate, the Chair hereby appoints the Senator from Michigan, Mr. COUZENS, as a director of the Columbia Institution for the Deaf, and the Senator from Vermont, Mr. DILLINGHAM, as a director of the Columbia Hospital for Women and Lying-in Asylum, both for the term of a single Congress, beginning March 4, 1923.

CLAIMS SETTLED BY THE SHIPPING BOARD (S. DOC. NO. 278).

The VICE PRESIDENT laid before the Senate a report of the United States Shipping Board and the United States Shipping Board Emergency Fleet Corporation, made pursuant to law, of claims arbitrated or settled by agreement from October 16, 1921, to October 15, 1922, etc., which was referred to the Committee on Appropriations and ordered to be printed.

REINTERMENT OF SOLDIER DEAD.

The VICE PRESIDENT laid before the Senate a communication from the Quartermaster General of the Army, transmitting a list of American soldier dead returned from overseas, consisting of the remains of six enlisted men to be reinterred in the Arlington National Cemetery December 28, 1922, at 2.30 p. m., which was ordered to lie on the table for the information of the Senate.

APPROPRIATIONS FOR DEPARTMENTS OF STATE AND JUSTICE.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives receding from its disagreement to the amendments of the Senate Nos. 2, 5, 19, 24, and 25 to the bill (H. R. 13232) making appropriations for the Departments of State and Justice and for the judiciary for the fiscal year ending June 30, 1924, and for other purposes, and concurring therein; receding from its disagreement to the amendment of the Senate No. 1 and concurring therein with an amendment as follows: In lieu of the matter proposed by said amendment insert: "Undersecretary of State and the 'counselor for the department' shall hereafter be designated 'Undersecretary of State'"; receding from its disagreement to the amendment of the Senate No. 14 and concurring therein with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "Provided further, That the automobile purchased from the appropriation for detection and prosecution of crimes for the fiscal year 1923 shall hereafter be for the exclusive use of the Bureau of Investigation under the control of the Attorney General."

Mr. CARAWAY. I would like to ask the Senator from Kansas a question. Last year, when the Attorney General got his \$500,000, he promised us he was going to have the jails so full of profiteers that their legs would be sticking out of the windows. I see that another \$500,000 is asked for. Has he made any report of that first \$500,000?

Mr. CURTIS. The first \$500,000 resulted in the examination of 472 cases by the board, and recommendations for prosecution in over 240 cases. Settlements have been made in two cases, the Government getting back \$1,100,000, and in two others checks have been received, one for \$250,000 and another for \$170,000, in these two cases, and settlement in two or three other cases which will run the amount up to about \$1,700,000.

Mr. CARAWAY. Who has been indicted?

Mr. CURTIS. I do not know who have been. I am not acquainted with the facts.

I move that the Senate concur in the amendments of the House to the amendments of the Senate.

The motion was agreed to.

ADMISSION OF ALIENS UNDER BOND.

Mr. COLT. Mr. President, out of order I ask unanimous consent to report back favorably without amendment from the Committee on Immigration the joint resolution (H. J. Res. 279) to permit to remain within the United States certain aliens admitted temporarily under bond in excess of quotas fixed under authority of the immigration act of May 19, 1921, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The joint resolution was read, as follows:

Resolved, etc., That aliens who entered the United States before March 7, 1922, in excess of quotas fixed under authority of the act entitled "An act to limit the immigration of aliens into the United States," approved May 19, 1921, and were temporarily admitted under bond, may, if otherwise admissible, and if not subject to deportation for other causes, be permitted by the Secretary of Labor to remain in the United States without regard to the provisions of such act of May 19, 1921. In the case of any alien so permitted to remain the bond shall be canceled.

Mr. JONES of Washington. I wish to ask the Senator if it will lead to any discussion.

Mr. COLT. It will not. If it does, I will have it go to the calendar.

The VICE PRESIDENT. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. JONES of Washington. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 25 minutes p. m.) the Senate, under the order previously made, took a recess until to-morrow, Thursday, December 21, 1922, at 12 o'clock meridian.

NOMINATIONS.

Nominations received by the Senate December 20 (legislative day of December 16), 1922.

MEMBERS OF THE INTERSTATE COMMERCE COMMISSION.

Charles C. McChord, of Kentucky, for a term of seven years, expiring December 31, 1929. (A reappointment.)

Joseph B. Eastman, of Massachusetts, for a term of seven years, expiring December 31, 1929. (A reappointment.)

SOLICITOR OF THE DEPARTMENT OF COMMERCE.

Stephen B. Davis, of New Mexico, to be solicitor of the Department of Commerce, vice William E. Lamb, resigned.

UNITED STATES DISTRICT JUDGES.

Adam C. Cliffe, of Illinois, to be United States district judge, northern district of Illinois. (An additional position created by the act approved September 14, 1922.)

Frederic P. Schoonmaker, of Pennsylvania, to be United States district judge, western district of Pennsylvania. (An additional position created by the act approved September 14, 1922.)

UNITED STATES ATTORNEY.

Edwin A. Olson, of Illinois, to be United States attorney, northern district of Illinois, vice Charles F. Clyne, whose term has expired.

UNITED STATES MARSHAL.

William A. Dollison, of Colorado, to be United States marshal for the district of Colorado, vice Samuel J. Burris, resigned, effective January 1, 1923.

COAST AND GEODETIC SURVEY.

Harry Louis Bloomberg, of New York, to be aid with relative rank of ensign in the Navy, in the Coast and Geodetic Survey, vice Frederick E. Joekel, promoted.

POSTMASTERS.

ALABAMA.

John M. Stapleton to be postmaster at Foley, Ala., in place of L. E. Wolbrink. Incumbent's commission expired September 5, 1922.

ARKANSAS.

Hiram S. Irwin to be postmaster at Clarendon, Ark., in place of J. F. Hurst. Incumbent's commission expired September 5, 1922.

CALIFORNIA.

James F. Trout to be postmaster at Avalon, Calif., in place of J. F. Trout. Incumbent's commission expired September 5, 1922.

George T. Fissell to be postmaster at Davis, Calif., in place of G. T. Fissell. Incumbent's commission expired September 5, 1922.

John V. Van Eaton to be postmaster at El Segundo, Calif., in place of N. M. Ellis, resigned.

George F. Bartley to be postmaster at Escondido, Calif., in place of C. W. Corey. Incumbent's commission expired September 5, 1922.

George H. Gischel to be postmaster at Tracy, Calif., in place of W. T. Tschierschky. Incumbent's commission expired September 5, 1922.

COLORADO.

Joseph A. Measures to be postmaster at Grand Junction, Colo., in place of R. C. Walker. Incumbent's commission expired September 5, 1922.

FLORIDA.

Edgar D. Hogan to be postmaster at Loughman, Fla. Office became presidential July 1, 1922.

Harold J. Engel to be postmaster at New Valparaiso, Fla. Office became presidential July 1, 1922.

GEORGIA.

Frank M. Meaders to be postmaster at Dahlonga, Ga., in place of F. M. Meaders. Incumbent's commission expired September 28, 1922.

John E. Puett to be postmaster at Cumming, Ga., in place of A. G. Hockenhull. Incumbent's commission expired September 28, 1922.

ILLINOIS.

Harry J. Glover to be postmaster at Albion, Ill., in place of Frank Howey. Incumbent's commission expired October 24, 1922.

Thomas Turigliatto to be postmaster at Benld, Ill., in place of P. S. McPherson. Incumbent's commission expired February 4, 1922.

INDIANA.

Rex Hannum to be postmaster at Worthington, Ind., in place of W. H. Beaty. Incumbent's commission expired September 5, 1922.

KENTUCKY.

Robert B. Beadles to be postmaster at Fulton, Ky., in place of J. R. Graham. Incumbent's commission expired October 3, 1922.

William E. Jones to be postmaster at Princeton, Ky., in place of F. K. Wylis. Incumbent's commission expired October 3, 1922.

MASSACHUSETTS.

Elizabeth M. Benere to be postmaster at West Acton, Mass., in place of James Kinsley. Incumbent's commission expired October 1, 1922.

MICHIGAN.

Christine Anderson to be postmaster at Holton, Mich., in place of Herbert O'Connor, resigned.

MINNESOTA.

Edwin Mattson to be postmaster at Breckenridge, Minn., in place of E. H. Mangskau. Incumbent's commission expired September 13, 1922.

MISSOURI.

Eldridge G. Hoff to be postmaster at Stockton, Mo., in place of F. L. Church. Incumbent's commission expired September 5, 1922.

MONTANA.

Harly J. Stephenson to be postmaster at Belgrade, Mont., in place of F. M. Byrne. Incumbent's commission expired September 13, 1922.

Hermon Y. Gard to be postmaster at Brady, Mont., in place of L. C. Woolson. Incumbent's commission expired February 5, 1922.

NEBRASKA.

Edward E. Ely to be postmaster at Milford, Nebr., in place of M. E. Lindeman, deceased.

Elmer G. Watkins to be postmaster at Orleans, Nebr., in place of Robert Dunlay. Incumbent's commission expired October 3, 1922.

NEW HAMPSHIRE.

George L. Crockett to be postmaster at Whitefield, N. H., in place of B. C. Garland. Incumbent's commission expired September 19, 1922.

NEW JERSEY.

Dorothy H. Miller to be postmaster at Essex Fells, N. J. Office became presidential October 1, 1922.

George W. Earl to be postmaster at Tabor, N. J. Office became presidential April 1, 1922.

Thomas F. Zettlemoyer to be postmaster at Sewaren, N. J. Office became presidential October 1, 1922.

NEW YORK.

Olin D. Beers to be postmaster at Freehold, N. Y. Office became presidential January 1, 1921.

Marguerite A. Scruton to be postmaster at Oswegatchie, N. Y. Office became presidential October 1, 1922.

Lewis E. Fredenburg to be postmaster at Afton, N. Y., in place of Daniel Grant. Incumbent's commission expired September 19, 1922.

NORTH DAKOTA.

Jacob A. Phillips to be postmaster at Cleveland, N. Dak., in place of J. A. Phillips. Incumbent's commission expired April 6, 1922.

OHIO.

James Azallion to be postmaster at Laferty, Ohio. Office became presidential October 1, 1921.

Hosea M. Thompson to be postmaster at Ostrander, Ohio. Office became presidential April 1, 1922.

Albert W. Griswold to be postmaster at Georgetown, Ohio, in place of T. B. Richey. Incumbent's commission expired September 19, 1922.

PENNSYLVANIA.

Ida M. Mingle to be postmaster at Birmingham, Pa. Office became presidential October 1, 1922.

Frederick M. Adam to be postmaster at Temple, Pa. Office became presidential October 1, 1920.

Horace W. Wickersham to be postmaster at Thompsettown, Pa., in place of O. W. Kaegel. Incumbent's commission expired September 26, 1922.

George W. Correy to be postmaster at Milton, Pa., in place of Edward Weidenhamer, resigned.

Paul C. Rupp to be postmaster at Pitcairn, Pa., in place of M. D. Salyards. Incumbent's commission expired September 26, 1922.

PORTO RICO.

John L. Gay to be postmaster at San Juan, P. R., in place of R. A. Rivera, removed.

SOUTH CAROLINA.

Mortimer R. Sams to be postmaster at Jonesville, S. C., in place of R. W. Scott. Incumbent's commission expired September 19, 1922.

SOUTH DAKOTA.

Frank D. Beste to be postmaster at Corsica, S. Dak., in place of F. B. Boyle. Incumbent's commission expired September 11, 1922.

TENNESSEE.

Charles K. Metcalf to be postmaster at National Sanatorium, Tenn. Office became presidential October 1, 1922.

Joseph M. Dudney to be postmaster at Gainesboro, Tenn., in place of F. L. Tardy. Incumbent's commission expired May 10, 1922.

TEXAS.

John L. Dillon to be postmaster at Leonard, Tex., in place of A. L. Melton. Incumbent's commission expired September 5, 1922.

Arthur A. McNeil to be postmaster at Moody, Tex., in place of W. H. McCurdy. Incumbent's commission expired September 5, 1922.

William Tays to be postmaster at New Braunfels, Tex., in place of J. E. Abrahams. Incumbent's commission expired April 6, 1922.

James M. Campbell to be postmaster at Strawn, Tex., in place of C. E. Maxwell. Incumbent's commission expired July 21, 1921.

UTAH.

Walter O. Lundgreen to be postmaster at Monroe, Utah, in place of O. C. Larsen. Incumbent's commission expired September 26, 1922.

VIRGINIA.

Haynie S. Robertson to be postmaster at Blackstone, Va., in place of J. M. Harris. Incumbent's commission expired September 13, 1922.

Edwin L. Toone to be postmaster at Boydton, Va., in place of E. L. Toone. Incumbent's commission expired July 21, 1921.

Charles R. Whitmore to be postmaster at Broadway, Va., in place of S. M. Williams. Incumbent's commission expired September 13, 1922.

WASHINGTON.

William R. Cox to be postmaster at Pasco, Wash., in place of A. A. Barnes. Incumbent's commission expired October 14, 1922.

WISCONSIN.

Blanch Lyon to be postmaster at East Ellsworth, Wis. Office became presidential January 1, 1921.

WYOMING.

Hubert S. Ladd to be postmaster at Hudson, Wyo. Office became presidential January 1, 1921.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 20 (legislative day of December 16), 1922.

UNITED STATES CIRCUIT JUDGE.

John C. Rose to be circuit judge, fourth circuit.

DEPARTMENT OF COMMERCE.

COAST AND GEODETIC SURVEY.

Edward Perry Morton to be aid.

POSTMASTERS.

ALABAMA.

Frank F. Crowe, Montevallo.

GEORGIA.

Luther W. Vickery, Lavonia.

Clifton O. Lloyd, Lindale.

Andrew H. Staples, Metter.

George H. Broome, Pavo.

INDIANA.

Fred Austin, Birdseye.

Oliver A. Potter, Geneva.

Louis T. Heerman, Syracuse.

Lee Herr, Tell City.

KANSAS.

Maud Williams, Lenexa.

MASSACHUSETTS.

Henry L. Pierce, Barre.

Lucius E. Estey, Brookfield.

Charles J. Dacey, Conway.

Horace W. Collamore, East Bridgewater.

Henry L. Ripley, Edgartown.

Thomas J. Murray, Prides Crossing.

William C. Temple, Rutland.

Douglas H. Knowlton, South Hamilton.

George A. Wilder, Townsend.

Walter C. Ring, Woronoco.

MICHIGAN.

Elmer E. Geer, Halfway.

MISSISSIPPI.

Neppie R. Lockwood, Crystal Springs.

MISSOURI.

Benonia F. Hardin, Albany.

Robert W. Raines, Glasgow.

Catherine A. McSwiney, Normandy.

NEW MEXICO.

Maud W. Lenfesty, Aztec.

Augustin F. Sisneros, Espanola.

James A. Shipley, Silver City.

OKLAHOMA.

Ward Guffy, Cleveland.

Clarence S. Brigham, Cushing.

PENNSYLVANIA.

Effie P. Corts, Karns City.

William H. Lowry, Ligonier.

Lena E. Gould, McClellandtown.

RHODE ISLAND.

May B. Lamb, Greenville.

Bertha M. Brayton, Hope.

TENNESSEE.

Charles H. Bewley, Greeneville.

Alfred M. Agee, Lafollette.

Joseph R. Mitchell, Mascot.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 20, 1922.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, Thy revelations are so merciful and gracious that we are unequal to the task of definition, but read our hearts and accept their offerings. The Lord bestow upon our country blessings of peace, plenty, and prosperity. Make these days for all the gladdest days in all the year, and may we have the spirit of Him who sees what others see and feels what others feel. Oh, may a great wave of good will sweep over our land and let the converting, controlling, and restoring Spirit of God come to the world and make it new and fresh and clean. Amen.

The Journal of the proceedings of yesterday was read and approved.

PENSIONS.

Mr. FULLER. Mr. Speaker, yesterday I presented a conference report upon the bill (S. 3275) granting pensions and increase of pensions to certain soldiers and sailors of the Civil and Mexican wars, and to certain widows, former widows, minor children, and helpless children of said soldiers and sailors, and to widows of the War of 1812, and to certain Indian war veterans and widows, for printing under the rule. I find that there is a mistake in the printed report, and I now ask unanimous consent to withdraw the report printed in the RECORD of yesterday, and to resubmit the corrected report and have it printed under the rule.